

1 **State of Arkansas**
2 **79th General Assembly**
3 **Regular Session, 1993**
4 **By: Representative Willems**

A Bill

ACT 1197 OF 1993
HOUSE BILL 1202

For An Act To Be Entitled

8 "AN ACT TO AMEND TITLE 24, CHAPTER 11, SUBCHAPTER 4 AND
9 *SUBCHAPTER 8* OF THE ARKANSAS CODE OF 1987 TO PROVIDE A
10 MINIMUM MONTHLY RETIREMENT BENEFIT FOR RETIRED POLICEMEN
11 AND *FIREMEN* AND THEIR SURVIVING SPOUSES; AND FOR OTHER
12 PURPOSES."

Subtitle

14 "PROVIDE A MINIMUM MONTHLY RETIREMENT BENEFIT FOR RETIRED
15 POLICEMEN AND *FIREMEN* AND THEIR SURVIVING SPOUSES."

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18 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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20 SECTION 1. Arkansas Code 24-11-424 is hereby amended to read as
21 follows:

22 "§ 24-11-424. Benefits - Retirant receiving less than one-half salary.
23 Retired police officers who are eligible to receive benefits from a
24 policemen's pension and relief fund shall receive from the policemen's pension
25 and relief fund a minimum monthly benefit of no less than three hundred fifty
26 dollars (\$350)."

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28 SECTION 2. Arkansas Code 24-11-425(a) is hereby amended to read as
29 follows:

30 "(a) If any active police officer or any retired member dies from any
31 cause, leaving a surviving spouse, or child under the age of eighteen (18)
32 years, then the board of trustees shall direct a monthly pension during the
33 surviving spouse's life in an amount equal to the pension attached to the rank
34 of the deceased police officer at the time of his death, but in no event shall
35 the benefit of the surviving spouse be less than three hundred fifty dollars
36 (\$350) per month."

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SECTION 3. Arkansas Code Annotated 24-11-818(c) is amended to read as follows:

"(c) Any full-paid fire fighter who is already retired shall not receive less than three hundred fifty dollars (\$350) per month."

SECTION 4. Arkansas Code Annotated 24-11-820(a)(2) is amended to read as follows:

"(2) In the case of full-paid fire fighters classifications, a monthly pension shall be paid for life to the spouse in the amount of the pension received by the retired fire fighter at the time of his death, or the amount of the pension to which the member would have been entitled on the day he died, had he been retired, but in no event shall the benefit of the spouse be less than three hundred fifty dollars (\$350) per month, regardless of whether the spouse has already been receiving pension payments and regardless of whether the fire fighter was on active duty or retired."

SECTION 5. Subsection (a) of Arkansas Code §24-11-807 is hereby amended to read as follows:

"(a)(1) For volunteer fire fighters, in no case shall the payment to any retired member be less than fifty dollars (\$50.00) per month, and the payment shall be made in accordance with the justice and equity of each case as determined by the board of trustees of the firemen's relief and pension fund. The benefits provided for in this subdivision shall only be paid provided the retirement funds are actuarially sound after the increase as determined by the actuary for the Arkansas Fire and Police Pension Review Board.

(2) In no case shall the payment to any retired member be less than thirty dollars (\$30.00) per month, and the payment shall be made in accordance with the justice and equity of each case as determined by the board of trustees of the firemen's relief and pension fund."

SECTION 6. The increased benefits provided for under the provisions of this act shall only be paid provided the retirement funds are actuarially sound after the increase as determined by the actuary for the Arkansas Fire

1 and Police Pension Review Board.

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3 SECTION 7. All provisions of this act of a general and permanent nature
4 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
5 Revision Commission shall incorporate the same in the Code.

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7 SECTION 8. If any provision of this act or the application thereof to
8 any person or circumstance is held invalid, such invalidity shall not affect
9 other provisions or applications of the act which can be given effect without
10 the invalid provision or application, and to this end the provisions of this
11 act are declared to be severable.

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13 SECTION 9. All laws and parts of laws in conflict with this act are
14 hereby repealed.

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17 /s/Frank Willems

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19 APPROVED: 4/19/93

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As Engrossed: 3/17/93 3/19/93 3/30/93

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