

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

Act 850 of the Regular Session

1 State of Arkansas  
2 86th General Assembly  
3 Regular Session, 2007  
4

As Engrossed: S3/28/07

**A Bill**

SENATE BILL 157

5 By: Senator J. Jeffress  
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7

**For An Act To Be Entitled**

8  
9 *AN ACT CONCERNING THE RESUMPTION OF CREDITED*  
10 *SERVICE AS A PUBLIC SAFETY MEMBER IN THE ARKANSAS*  
11 *PUBLIC EMPLOYEES' RETIREMENT SYSTEM; AND FOR*  
12 *OTHER PURPOSES.*  
13

**Subtitle**

14  
15 *AN ACT CONCERNING THE RESUMPTION OF*  
16 *CREDITED SERVICE AS A PUBLIC SAFETY*  
17 *MEMBER IN THE ARKANSAS PUBLIC*  
18 *EMPLOYEES' RETIREMENT SYSTEM.*  
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21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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23 *SECTION 1. Arkansas Code § 24-4-101(34), concerning the definition of*  
24 *"public safety member", is amended to read as follows:*

25 *(34)(A) "Public safety member" means a noncontributory member*  
26 *whose covered employment is for personal services as a police officer or*  
27 *firefighter and his or her employment commenced prior to July 1, 1997.*

28 *(B)(i) "Police officer" means any regular or permanent*  
29 *employee whose primary duty is law enforcement of a municipal police*  
30 *department, a county sheriff's office, or the Department of Arkansas State*  
31 *Police, including probationary police officers, and shall also include*  
32 *wildlife officers of the Arkansas State Game and Fish Commission and all*  
33 *officers and the Director of the State Capitol Police within the office of*  
34 *the Secretary of State.*

35 *(ii) An officer who, although assigned to*



1 administrative duties, is still subject to call for service at patrol duty or  
2 duty in the field or is subject to call for duties in emergency situations  
3 requiring the officer to be armed with a firearm shall be considered to have  
4 the primary duty of law enforcement for the purpose of this subdivision  
5 (34)(B).

6 (iii) The term "police officer" shall not include  
7 any civilian employee of a police department or any person temporarily  
8 employed as a police officer during an emergency.

9 (C)(i) "Firefighter" means any regular employee of a fire  
10 department whose primary duty is fire fighting, including probationary  
11 firefighters.

12 (ii) "Firefighter" shall not include any civilian  
13 employee of a fire department or any person temporarily employed as a  
14 firefighter during an emergency.

15 (D)(i) "Public safety member" shall not include a member  
16 whose employment as a police officer or firefighter commenced on or after  
17 July 1, 1997.

18 (ii)(a) If a public safety member leaves his or her  
19 employment as a police officer or firefighter for employment as a police  
20 officer or firefighter in a position covered by the Arkansas Public  
21 Employees' Retirement System, Arkansas State Highway Employees' Retirement  
22 System, State Police Retirement System, or Arkansas Local Police and Fire  
23 Retirement System and returns to his or her previous employment as a police  
24 officer or firefighter, the public safety member shall resume receiving  
25 credited service at one and one-half (1 1/2) times the regular rate for  
26 crediting service.

27 (b) A person eligible to resume receiving  
28 public safety credit prior to the effective date of subdivision  
29 (34)(D)(ii)(a) of this section shall receive credited service for his or her  
30 return to employment as a police officer or firefighter at one and one-half  
31 (1 1/2) times the regular rate for crediting service.

32 (E) A public safety member who receives or has received  
33 credited service at one and one-half (1 1/2) times the regular rate for  
34 crediting service may change employers and continue to receive credited  
35 service at one and one-half (1 1/2) times the regular rate for crediting  
36 service, provided:

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(i) The person is employed as a public safety officer within six (6) months of termination from employment as a public safety member; and

(ii) The employer provides public safety officers credited service at one and one-half (1 1/2) times the regular rate for crediting service;

/s/ J. Jeffress

APPROVED: 4/3/2007