

Act 390 of the 1989 Regular Session.

Act 390

HB1464

By: Representative Barclay

"AN ACT TO AMEND TITLE 24, CHAPTER 11, SUBCHAPTER 8 OF THE ARKANSAS CODE OF 1987 TO PROVIDE THAT A FIREMAN RETIRED UNDER THE DISABILITY PROVISIONS OF A LOCAL FIREMEN'S PENSION AND RELIEF FUND SHALL RECEIVE THE SAME BENEFIT UPON REACHING NORMAL RETIREMENT AGE; AND FOR OTHER PURPOSES."

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

SECTION 1. Arkansas Code 24-11-819(a)(2)(B) is hereby amended to read as follows:

"(B) For a full-paid fire fighter who is injured in the line of duty, the monthly disability benefit shall either be equal to sixty-five percent (65%) of the salary attached to the rank held by the member in the fire department or shall be equal to the benefit paid to normal service retirants, whichever is greater. For purposes of this section, "injured in the line of duty" means a disabling injury or disease which occurs while conducting official fire department operations or while in training to become a fire fighter. The board shall determine whether the disability occurred in the line of duty, and may require any medical evidence, official reports, expert testimony, or other information to be supplied by the applicant, in addition to the required physician's examination and report. The additional benefits provided herein shall be effective for all qualifying applications first received by the board on or after January 1, 1987. The disability benefit provided herein shall continue to be paid to the fire fighter so long as he is retired and shall not be reduced to the regular service annuity amount, if less, when he reaches his normal retirement age. Upon the death of the retirant, any survivor benefits shall be based upon the normal service retirement annuity amount."

SECTION 2. All provisions of this act of a general and permanent nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code Revision Commission shall incorporate the same in the Code.

SECTION 3. All laws and parts of laws in conflict with this act are hereby repealed.

APPROVED: March 7, 1989

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