

Act 459 of the 1989 Regular Session.

Act 459

HB1078

By: Representative Gilbert

"AN ACT TO AMEND ARKANSAS CODE 24-10-409 TO PROVIDE THAT EXCESS INSURANCE PREMIUM TAXES AND OTHER STATE FUNDS RECEIVED BY POLITICAL SUBDIVISIONS FOR THEIR CONTRIBUTION TO THE LOCAL POLICE AND FIRE RETIREMENT SYSTEM MAY BE TRANSFERRED TO THEIR LOCAL POLICE AND FIRE PENSION FUNDS."

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

SECTION 1. Arkansas Code 24-10-409 is hereby amended to read as follows:

"24-10-409. (a) For each political subdivision with a relief fund in effect, the relief fund has been receiving revenues from the state derived from the taxes levied on foreign and domestic insurers by 23-60-101 et seq., and 24-11-301 -- 24-11-303, 24-11-801 -- 24-11-807, 24-11-809, 24-11-810, 24-11-813 -- 24-11-816, and 24-11-818 -- 24-11-821, 26-57-601 -- 26-57-605, and 26-57-607 or any other state funds designated for support of fire and police retirement programs in political subdivisions.

(b) Effective the operative date, those state revenues shall be prorated between the relief fund and the political subdivision, based upon the number of employees covered by the relief fund and the number of employees covered by the system.

(c) If there is a mixture of employees acquiring paid service and employees acquiring volunteer service, one (1) paid service employee shall be equal to five (5) volunteer service employees for prorating purposes.

(d) Each political subdivision without a relief fund in effect July 1, 1981, which subsequently covers its fire or police department under the system, shall also receive insurance revenues.

(e) All moneys so received by the political subdivisions shall be applied to the employer contribution required to support this system, provided however, if the governing body of any political subdivision determines that the required employer contribution is less than the amount of moneys so received during the year, the governing body may transfer any or all of the excess moneys to their police pension funds or fire pension funds or both in whatever amount deemed appropriate."

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 All laws and parts of laws in conflict with this Act are hereby repealed.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 10, 1989

---