

1 **State of Arkansas**
2 **80th General Assembly**
3 **Regular Session, 1995**
4 **By: Representative B. Wood**

A Bill

ACT 642 OF 1995
HOUSE BILL 1508

For An Act To Be Entitled

8 "AN ACT TO AMEND ARKANSAS CODE § 24-10-301 AND ARKANSAS
9 CODE § 24-10-501 TO ELIMINATE THE MAXIMUM AGE LIMIT FOR
10 MEMBERS TO EARN SERVICE CREDIT FOR THE LOCAL POLICE AND
11 FIRE RETIREMENT SYSTEM; AND FOR OTHER PURPOSES."

Subtitle

14 "TO ELIMINATE THE MAXIMUM AGE LIMIT FOR
15 MEMBERS TO EARN SERVICE CREDIT UNDER THE
16 LOCAL POLICE AND FIRE RETIREMENT SYSTEM
17 (LOPFI)."

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

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21 SECTION 1. Arkansas Code § 24-10-301 is amended to read as follows:
22 "24-10-301. Generally.

23 (a) The membership of the system shall include the following persons:

24 (1) If his employer had its fire fighters covered by a relief
25 fund on the operative date, each person first employed as a fire fighter on or
26 after the operative date shall become a member of this system and not be a
27 member of the relief fund;

28 (2) If his employer had its police officers covered by a relief
29 fund on the operative date, each person first employed as a police officer on
30 or after the operative date shall become a member of this system and not be a
31 member of the relief fund;

32 (3) If his employer did not have its fire fighters covered by a
33 relief fund on the operative date, all persons employed as fire fighters on
34 the date the employer covers fire fighters under this subchapter shall become
35 members of the system as of that date, and each person first employed as a
36 fire fighter thereafter shall become a member upon employment;

1 (4) If his employer did not have its police officers covered by a
2 relief fund on the operative date, all persons employed as police officers on
3 the date the employer covers police officers under this subchapter shall
4 become members of the system as of that date, and each person first employed
5 as a police officer thereafter shall become a member upon employment.

6 (b) In any case of question as to the system membership status of any
7 person, the board shall decide the question.

8 (c)(1) When covering a person first employed in paid service as a fire
9 fighter or police officer on or after July 1, 1985, the employer shall require
10 an employment physical examination of the employee, under criteria established
11 by the Arkansas Local Police and Fire Retirement System Board.

12 (2) The employer shall submit a copy of the examination to the
13 system within thirty (30) days of the date of hire."
14

15 SECTION 2. Arkansas Code § 24-10-501 is amended to read as follows:

16 "24-10-501. Paid and volunteer service.

17 (a) The board shall fix and determine by rules and regulations the
18 number of years and months of paid service to be credited each member for his
19 employment as an employee. In no case shall one (1) month of paid service
20 credit be credited for any one (1) calendar month after the operative date for
21 which an employee's pay is less than the minimum amount specified in this
22 chapter, nor shall more than one (1) year of service be credited any member
23 for all covered employment rendered by him in any one (1) calendar year.

24 (b)(1) Each employer shall regularly report to the board the calendar
25 months of covered employment by each of its members which the employer wishes
26 to be credited to the member as volunteer service.

27 (2) The board shall credit the member with the volunteer service;
28 but, in no case shall one (1) month of volunteer service be credited for any
29 one (1) calendar month for which a month of paid service can be granted, nor
30 shall more than one (1) year of service be credited for all covered employment
31 rendered by him in any one (1) calendar year.

32 (c)(1) Not later than one (1) year from and after the date an employer
33 covers its employees, and before the retirement of a member included in the
34 employees so covered, the employer shall certify to the board the periods of
35 prior employment of each of its members to be considered for credit as paid

1 service and for credit as volunteer service.

2 (2) No prior employment shall be so certified by an employer for
3 any member unless he was employed by the employer within the one-year period
4 immediately preceding the date an employer covers its employees and unless he
5 is continuously employed by the employer:

6 (A) From and after that date for one (1) year;

7 (B) Until his death; or

8 (C) Until his total and permanent disability, whichever is
9 earliest.

10 (d) Anything contained herein to the contrary notwithstanding, not
11 later than June 30, 1995, an employer with employees who were not accruing
12 service credit because of the age related limitation on credited service in
13 subsections of (a) and (b) of this section in existence prior to the effective
14 date of this subsection, and who are or would accrue service credit without
15 such limitations on credited service, shall certify to the board the period or
16 periods of previous employment of each such employee to be considered for
17 credited service, and such previous employment shall be considered for
18 credited service provided the employee pays to the system by December 31,
19 1995, the total member contributions he would have contributed to the system
20 had such age related limitation not been in effect."

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22 SECTION 3. All provisions of this act of general and permanent nature
23 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
24 Revision Commission shall incorporate the same in the Code.

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26 SECTION 4. If any provisions of this act or the application thereof to
27 any person or circumstance is held invalid, the invalidity shall not affect
28 other provisions or applications of the act which can be given effect without
29 the invalid provisions or application, and to this end the provisions of this
30 act are declared to be severable.

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32 SECTION 5. All laws and parts of laws in conflict with this act are
33 hereby repealed.

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APPROVED: 3-15-95

