

ARKANSAS SENATE
89th General Assembly - Regular Session, 2013
Amendment Form

Subtitle of Senate Bill No. 1110

TO CREATE THE ARKANSAS LAW ENFORCEMENT OFFICERS, FIREFIGHTERS, AND EMERGENCY
FIRST RESPONDERS SUPPLEMENTAL DISABILITY BENEFITS TRUST FUND; AND TO CREATE THE
NECESSARY MECHANISMS TO PROVIDE SUPPORT FOR THE FUND.

Amendment No. 1 to Senate Bill No. 1110

Amend Senate Bill No. 1110 as originally introduced:

Delete everything after the enacting clause and substitute the following:

“SECTION 1. Arkansas Code Title 12 is amended to add an additional chapter to read as follows:

CHAPTER 19 – Arkansas Law Enforcement Officers, Firefighters, and
Emergency First Responders Supplemental Disability Benefits Trust Fund.

12-19-101. Definitions.

As used in this chapter:

(1)(A) “Covered individual” means a law enforcement officer, firefighter, or first responder actively engaged in protecting the lives and property of the citizens of the state for an employer.

(B) “Covered individual” does not mean an employee of an independent contractor;

(2) “Employer” means a state board, state commission, state department, state division, state bureau, state agency, county, municipality, or political subdivision of the state that employs, appoints, or otherwise engages the service of a covered individual;

(3) “Firefighter” means an individual who is trained for the prevention and control of loss of life and property from fire or other emergencies and is assigned to a fire fighting activity and is required to respond to alarms and perform emergency actions at the location of a fire, hazardous material incident, or other emergency incident;

(4) “First responder” means an individual with the documented completion of forty (40) hours of coursework from a curriculum approved by the United States Department of Transportation; and

(5) “Law enforcement officer” means a certified officer or employee of the state or political subdivision whose duties require the officer or employee to investigate, pursue, apprehend, arrest, transport, or maintain custody of persons who are charged with, suspected of committing, or convicted of a crime.



12-19-102. Administration of Arkansas Law Enforcement Officers, Firefighters, and Emergency First Responders Supplemental Disability Benefits Trust Fund.

(a) The Attorney General shall develop and implement the procedures, requirements, and qualifications for awarding benefits and administering the Arkansas Law Enforcement Officers, Firefighters, and Emergency First Responders Supplemental Disability Benefits Trust Fund under this chapter.

(b)(1) Benefits under this chapter shall be awarded when at the time of injury a covered individual:

(A) Is engaged in the performance of official duties; and

(B) Is accidentally or intentionally injured in the line of duty as a direct result of a single incident.

(2)(A) The benefit shall be payable for the period of time the covered individual is physically unable to perform the duties of the covered individual's employment, not to exceed twelve (12) total payments for any one (1) injury.

(B) A chronic or repetitive injury is not covered under this chapter.

(3) Benefits under this chapter shall be in addition to any workers' compensation benefits and shall be limited to the difference between the amount of workers' compensation benefits and the amount of the covered individual's base salary.

(4) Benefits shall not be awarded under this chapter if a violation of law committed by the covered individual contributed to the disability or the injury was intentionally self-inflicted.

(5) Benefits are exempt from the claims and demands of creditors of the covered individual.

12-19-103. Law enforcement supplemental disability benefit special assessment.

(a) There is hereby established a law enforcement supplemental disability benefit special assessment to be levied by the district courts or circuit courts of this state in the sum of one dollar (\$1.00) against any person who is convicted of or enters a plea of guilty or nolo contendere to a parking or traffic offense.

(b) The law enforcement supplemental disability benefit special assessment shall be collected by the entity or office designated to collect fines and costs within the jurisdiction.

(c)(1) All law enforcement supplemental disability benefit special assessments collected shall be remitted by the county official, city official, agency, or department designated in § 16-13-709 as primarily responsible for the collection of fines assessed in the circuit courts, district courts, or city courts on or before the fifteenth day of each month for deposit into the Arkansas Law Enforcement Officers, Firefighters, and Emergency First Responders Supplemental Disability Benefits Trust Fund, as established by § 19-5-1140.

(2) A form provided by the section identifying the amount of the law enforcement supplemental disability benefit special assessments shall be transmitted with the collected special assessments.

SECTION 2. Arkansas Code Title 19, Chapter 5, Subchapter 11, is amended to add an additional section to read as follows:

19-5-1140. Arkansas Law Enforcement Officers, Firefighters, and Emergency First Responders Supplemental Disability Benefits Trust Fund established.

(a) There is hereby established and created on the books of the Chief Fiscal Officer of the State, the Treasurer of State, and the Auditor of State a special revenue fund to be known as the "Arkansas Law Enforcement Officers, Firefighters, and Emergency First Responders Supplemental Disability Benefits Trust Fund" for the purpose of funding supplemental disability benefits for law enforcement officers, firefighters, and first responders within the State of Arkansas.

(b) The fund shall consist of:

- (1) Revenues generated under § 12-19-103; and
- (2) Any moneys authorized by the General Assembly."

The Amendment was read the first time, rules suspended and read the second time and _____

By: Senator Rapert

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Secretary