

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.

1 State of Arkansas
2 87th General Assembly
3 Regular Session, 2009

A Bill

HOUSE BILL 1115

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5 By: Representative Reynolds
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For An Act To Be Entitled

8
9 AN ACT TO PROVIDE ADDITIONAL DEATH BENEFITS FOR
10 LAW ENFORCEMENT OFFICERS KILLED IN THE LINE OF
11 DUTY; AND FOR OTHER PURPOSES.
12
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Subtitle

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15 TO PROVIDE ADDITIONAL DEATH BENEFITS FOR
16 LAW ENFORCEMENT OFFICERS KILLED IN THE
17 LINE OF DUTY.
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20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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22 SECTION 1. Intent. The General Assembly finds and declares that the
23 law enforcement officers of the State of Arkansas risk their lives to protect
24 the citizens of the state. While benefits have been established for the
25 surviving family members of an officer who has lost his or her life in the
26 course of employment, the benefits do not adequately provide compensation to
27 the family. Officers such as Monty Carmikle of the Arkansas State Game and
28 Fish Commission, who lost his life while conducting an operation to prohibit
29 illegal action, provide valuable services to the state. This service by the
30 state's law enforcement officers and the sacrifice by the family members of
31 the law enforcement officers need to be recognized.
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33 SECTION 2. Arkansas Code Title 21, Chapter 5, Subchapter 7 is amended
34 to add a new section to read as follows:

35 21-5-708. Additional death benefits for law enforcement officers
36 killed in the line of duty.



1 (a)(1)(A) If a police officer of the Department of Arkansas State
2 Police, an officer of the State Capitol Police, an officer of the Arkansas
3 Highway Police Division of the Arkansas State Highway and Transportation
4 Department, or a wildlife enforcement officer of the Arkansas State Game and
5 Fish Department loses his or her life in the course of employment, the state
6 shall pay to the spouse of the deceased officer a sum of money not to exceed
7 two hundred fifty thousand dollars (\$250,000).

8 (B) If a spouse does not survive the officer, the death
9 benefit shall be distributed equally among the officer’s surviving children
10 under twenty-two (22) years of age.

11 (C) If there is no surviving spouse or surviving children
12 under twenty-two (22) years of age, the death benefit shall be distributed to
13 the surviving children twenty-two (22) years of age or older or to the
14 surviving parents of the deceased officer.

15 (2) Any moneys paid to the spouse or child of a deceased officer
16 under § 12-8-212, § 21-5-704, or § 21-5-705 shall be deducted from the two
17 hundred fifty thousand dollars (\$250,000) authorized under subdivision (a)(1)
18 of this section.

19 (b)(1) The death benefits authorized in this section shall be paid
20 from state funds appropriated for these benefits.

21 (2) The funds shall not be reimbursed by a transfer or charging
22 the funds against any state funds allocated for turnback to cities or
23 counties or distributed to any other state department agency fund account
24 other than the Arkansas State Claims Commission fund accounts and the
25 Miscellaneous Revolving Fund.

26 (c) Determination of eligibility for the death benefits authorized in
27 this section shall be made by the Arkansas State Claims Commission.

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