

1 State of Arkansas *As Engrossed: H1/17/23 H3/2/23 H3/14/23 H3/27/23*

2 94th General Assembly

A Bill

3 Regular Session, 2023

HOUSE BILL 1067

5 By: Representative Andrews

6 *By: Senator Stone*

For An Act To Be Entitled

9 AN ACT CONCERNING THE QUALIFICATIONS FOR
10 *FIREFIGHTERS; TO MODIFY THE LAW CONCERNING RESIDENCY*
11 *REQUIREMENTS FOR CERTAIN FIREFIGHTERS; AND FOR OTHER*
12 *PURPOSES.*

Subtitle

16 *TO MODIFY THE LAW CONCERNING RESIDENCY*
17 *REQUIREMENTS FOR CERTAIN FIREFIGHTERS.*

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

22 SECTION 1. Arkansas Code Title 14, Chapter 53, is amended to add an
23 additional section to read as follows:

24 14-53-113. Residency requirement.

25 (a)(1) As used in this section, "firefighter" means a full-time, paid
26 member of a municipal fire department who is employed by the municipality and
27 whose primary duty is fighting fires.

28 (2) "Firefighter" does not include the chief or head of the fire
29 department.

30 (b) A residency requirement for a municipal fire department may be
31 established by ordinance or resolution for firefighters or persons applying
32 to be a firefighter only if the municipal fire department:

33 (1) Uses full-time, paid firefighters and volunteer
34 firefighters;

35 (2) Is a volunteer fire department; or

36 (3) Uses part-time paid firefighters and firefighters who are



1 paid an appearance fee.

2 (c) A residency requirement that is enacted under subsection (b) of
3 this section shall not affect the residency or employment status of a
4 firefighter who is employed with the municipal fire department at the time
5 the residency requirement is adopted.

6 (d) For the purpose of hiring, a municipal fire department may give
7 preference to a person applying to be a firefighter who is a resident of the
8 state or a county adjacent to the county in which the municipal fire
9 department is located.

10 (e) This section does not affect a municipal fire department's
11 policies concerning:

12 (1) The use of a vehicle owned by the municipal fire department
13 by a firefighter who is not on duty; or

14 (2) Firefighters who, based on their assignment, are required to
15 respond to an emergency or call out within a specific time period.

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17 SECTION 2. Arkansas Code Title 14, Chapter 284, Subchapter 1, is
18 amended to add an additional section to read as follows:

19 14-284-126. Residency requirement.

20 (a)(1) As used in this section, "firefighter" means a full-time, paid
21 member of a fire protection district who is employed by the board of
22 commissioners of a fire protection district and whose primary duty is
23 fighting fires.

24 (2) "Firefighter" does not include the chief or head of the fire
25 protection district.

26 (b) A residency requirement for a fire protection district may be
27 established by ordinance or resolution for firefighters or persons applying
28 to be a firefighter only if the fire protection district:

29 (1) Uses full-time, paid firefighters and volunteer
30 firefighters;

31 (2) Is a volunteer fire department; or

32 (3) Uses part-time paid firefighters and firefighters who are
33 paid an appearance fee.

34 (c) A residency requirement that is enacted under subsection (b) of
35 this section shall not affect the residency or employment status of a
36 firefighter who is employed with the fire protection district at the time the

1 residency requirement is adopted.

2 (d) For the purpose of hiring, a fire protection district may give
3 preference to a person applying to be a firefighter who is a resident of the
4 state or a county adjacent to the county in which the fire protection
5 district is located.

6 (e) This section does not affect a fire protection district's policies
7 concerning:

8 (1) The use of a vehicle owned by the fire protection district
9 by a firefighter who is not on duty; or

10 (2) Firefighters who, based on their assignment, are required to
11 respond to an emergency or call out within a specific time period.

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13 SECTION 3. Arkansas Code Title 14, Chapter 284, Subchapter 2, is
14 amended to add an additional section to read as follows:

15 14-284-227. Residency requirement.

16 (a)(1) As used in this section, "firefighter" means a full-time, paid
17 member of a fire protection district who is employed by the board of
18 commissioners of a fire protection district and whose primary duty is
19 fighting fires.

20 (2) "Firefighter" does not include the chief or head of the fire
21 protection district.

22 (b) A residency requirement for a fire protection district may be
23 established by ordinance or resolution for firefighters or persons applying
24 to be a firefighter only if the fire protection district:

25 (1) Uses full-time, paid firefighters and volunteer
26 firefighters;

27 (2) Is a volunteer fire department; or

28 (3) Uses part-time paid firefighters and firefighters who are
29 paid an appearance fee.

30 (c) A residency requirement that is enacted under subsection (b) of
31 this section shall not affect the residency or employment status of a
32 firefighter who is employed with the fire protection district at the time the
33 residency requirement is adopted.

34 (d) For the purpose of hiring, a fire protection district may give
35 preference to a person applying to be a firefighter who is a resident of the
36 state or a county adjacent to the county in which the fire protection

1 district is located.

2 (e) This section does not affect a fire protection district's policies
3 concerning:

4 (1) The use of a vehicle owned by the fire protection district
5 by a firefighter who is not on duty; or

6 (2) Firefighters who, based on their assignment, are required to
7 respond to an emergency or call out within a specific time period.

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10 /s/Andrews

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