

1 INTERIM STUDY PROPOSAL 2011-124

2 State of Arkansas  
3 88th General Assembly  
4 Regular Session, 2011

*As Engrossed: S3/23/11*

# A Bill

SENATE BILL 776

5  
6 By: Senator B. Sample

7 Filed with: Interim Senate Committee on City, County and Local Affairs  
8 pursuant to A.C.A. §10-3-217.

## For An Act To Be Entitled

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10 AN ACT TO CLARIFY THE UNIFORM SICK LEAVE LAW FOR  
11 MUNICIPAL LAW ENFORCEMENT OFFICERS; AND FOR OTHER  
12 PURPOSES.

### Subtitle

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15 TO CLARIFY THE UNIFORM SICK LEAVE LAW FOR  
16 MUNICIPAL LAW ENFORCEMENT OFFICERS.

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

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22 *SECTION 1. Arkansas Code § 14-52-107 is amended to read as follows:*  
23 *14-52-107. Uniform sick leave.*

24 *(a)(1)(A) From and after April 11, 1969, ~~all law enforcement officers~~*  
25 *each law enforcement officer, regardless of their titles his or her title,*  
26 *such as city marshal, employed by cities of the first class and cities of the*  
27 *second class or incorporated towns shall accumulate sick leave in accordance*  
28 *with a municipal ordinance at the rate of not less than ten (10) working days*  
29 *nor more than twenty (20) working days per year, beginning one (1) year after*  
30 *the date of employment.*

31 *(B) As used in this section, "working day" means the*  
32 *period of time an officer is on duty within a twenty-four-hour period. If the*  
33 *officer is on duty for twelve (12) hours or more in a twenty-four-hour*  
34 *period, a working day shall be not less than twelve (12) hours nor more than*  
35 *twenty-four (24) hours.*

1                    (C) The number of days of sick leave in effect for  
 2 officers employed by cities of the first class and cities of the second class  
 3 on January 1, 2011, shall remain in effect until changed by authority of a  
 4 municipal ordinance, and this section shall not be construed to require a  
 5 reduction in the level of sick leave below the rate of twenty (20) working  
 6 days per year or the rate in effect on January 1, 2011.

7                    (2)(A) If unused, sick leave shall accumulate to a maximum of  
 8 sixty (60) days one thousand four hundred forty (1,440) hours unless the city  
 9 or town, by ordinance, authorizes the accumulation of a greater amount, in no  
 10 event to exceed a maximum accumulation of ninety (90) days, except two  
 11 thousand one hundred sixty (2,160) hours.

12                    (B) Unused accumulated sick leave shall not be used for  
 13 the purpose of computing years of service for retirement purposes.

14                    (b)(1) In cities having sick leave provisions through ordinance, the  
 15 total sick leave accumulated by the individual officer shall be credited to  
 16 him or her and new days accumulated under the provisions of this section  
 17 until the maximum prescribed in subsection (a) of this section is reached.

18                    (2) If the governing body of the employing municipality  
 19 successfully reduces the accrual rate, no officer shall have any previously  
 20 earned sick leave reduced in value.

21                    ~~(2)(3)(A) Time off may be charged against accumulated sick leave~~  
 22 ~~only for such the days that an officer is scheduled to work. No such sick~~  
 23 ~~leave as provided in this section shall be charged against any officer during~~  
 24 ~~any period of sickness, illness, or injury for any days which the officer is~~  
 25 ~~not scheduled to work.~~

26                    (B) If an officer is not scheduled to work, sick leave  
 27 shall not be charged against him or her during any period of sickness,  
 28 illness, or injury for those unscheduled work days under this chapter.

29                    (c) If, at the end of his or her term of service, upon retirement or  
 30 death, whichever occurs first, any police officer has unused accumulated sick  
 31 leave, he or she shall be paid for this sick leave at the regular rate of pay  
 32 in effect at the time of retirement or death. Payment for unused sick leave  
 33 in the case of a police officer, upon retirement or death, shall not exceed  
 34 sixty (60) days salary unless the city, by ordinance, authorizes a greater  
 35 amount, but in no event to exceed ninety (90) days of salary.

