

# **Final Report to the Legislative Council**

## *Uniform Personnel Classification and Compensation Plan Subcommittee*

### **Law Enforcement Officer Stipend Disbursements, Act 561 of 2023**

#### **I. Act 561 of 2023.**

Act 561 of 2023, requires the Uniform Personnel Classification and Compensation Plan Subcommittee to provide a recommendation to the Legislative Council no later than September 15, 2023 regarding the distribution of Law Enforcement Stipends. The stipends are to be funded via a “Set -Aside” fund by those dollars remaining unspent by Act 224 of 2022.

#### **II. Background (Act 224 of 2022).**

The original Law Enforcement Stipends Act (Act 224 of 2022) provided stipends to Law Enforcement Officers across the state at various law enforcement agencies. The act established criteria for who should receive the stipends, the stipend amounts and set the process in place for distribution.

#### **III. Work of the Subcommittee for Act 561.**

The ALC-Uniform Personnel Classification and Compensation Plan Subcommittee (the “Subcommittee”) has been tasked with providing a recommendation on how to distribute the remaining balance of funds in the Law Enforcement Stipends Set-Aside accounts for eligible full-time law enforcement officers at state agencies and institutions of higher education, as determined by the Subcommittee.

On June 14, 2023, the Subcommittee adopted the first set of procedures to distribute the remaining funds for law enforcement stipends. The Subcommittee voted to amend those procedures at its meeting on July 19, 2023. (See Attachment A, ALC-Personnel Subcommittee, Law Enforcement Officer Stipend Disbursements Procedures). The processes and procedures create two (2) groups that are potentially eligible to receive the stipends under Act 561 of 2023. Group (1) includes eligible full-time law enforcement officers employed by the following:

- Arkansas Secretary of State;
- Arkansas Game and Fish Commission;
- Arkansas Department of Transportation;
- Arkansas Department of Parks Heritage and Tourism; and
- Public institutions of higher education.

Group 2 may include any other state department, division, or agency that is not included in Group 1 that has eligible full-time law enforcement officers that meet the criteria for receiving a stipend. Entities to be included in Group 2 will be determined by application (See Attachment B, Group 2 Application)

The Subcommittee procedures establish the amount for stipend payments based on salary increases or stipends provided to the entity's eligible full-time law enforcement officers over the past two (2) fiscal years. The amount of the stipends to be paid to officers in Group 2 will be determined after all of Group 1 has been paid, the Commission on Law Enforcement Standards and Training ("CLEST") has provided the Subcommittee with the final applications and eligibility verifications for Group 2 applicants, and the amount remaining in the set-aside account has been validated.

A public institution of higher education that has already provided stipends to its eligible full-time law enforcement officers shall be reimbursed based upon the same distribution plan for other entities in Group 1 according to the percentage salary increases the institution has provided to its officers over the last two (2) fiscal years. This means that an institution may not be reimbursed the same amount that they provided to their officers.

#### **IV. Recommendations:**

The Subcommittee recommends that the Legislative Council notify the Chief Fiscal Officer of the State that disbursement of the funds in the Law Enforcement Stipends Set-Aside be disbursed to eligible full-time law enforcement officers in accordance with this report and the procedures attached hereto, as Attachment A, and based on the amounts set forth in Attachment C, showing amounts paid in stipends or salary increases to the institutions and agencies included in Group 1. The Subcommittee recommends that with regard to disbursements to Group 1, the Department of Finance and Administration ("DFA") begin making those disbursements no sooner than August 1, 2023, and following verification of each officer's certification and eligibility through CLEST.

With regard to Group 2, DFA shall make those disbursements following approval of Group 2 eligible applicants and stipend amounts by the Subcommittee and the Legislative Council. The application period for Group 2 will run from October 1, 2023 to December 31, 2023. The Subcommittee and the Legislative Council will provide an updated report and recommendation to DFA upon completion of its Group 2 application process.

DFA is instructed to follow all procedures utilized during disbursement of stipends under Act 224 of 2022, when making payments to eligible full-time law enforcement officers under these procedures and in accordance with Act 561 of 2023.

DFA shall provide a monthly report to the Subcommittee regarding the amount of stipends paid to each institution and agency, which shall include without limitation detail related to the number of eligible officers who have received a stipend for each institution or agency under Act 561, the total amounts paid to each institution or agency, the amount



paid in reimbursements to each public institution of higher education, and the balance in the Law Enforcement Stipends Set-Aside following those disbursements.

## **V. Attachments.**

Attachment A: ALC-Personnel Subcommittee, Law Enforcement Officer Stipend Disbursements Procedures

Attachment B: Group 2 Application

Attachment C: Distribution spreadsheet for Group 1 based on salary increases provided law enforcement officers for the last 2 years.

DRAFT

## Attachment A

As Adopted: June 14, 2023; Proposed Revision for July 19, 2023

### ALC – Personnel Subcommittee

#### *Law Enforcement Officer Stipend Disbursements, Act 561 of 2023*

**1. Act 561.** Section 3 (a)(27) of Act 561 of 2023 states that the Uniform Personnel Classification and Compensation Plan Subcommittee of the Legislative Council (the “Subcommittee”) shall provide the Legislative Council a recommendation regarding distribution of the Law Enforcement Stipends as grants no later than September 15, 2023.

#### **2. Eligibility Criteria.**

a. For purposes of these procedures, an eligible full-time law enforcement officer means a person who:

i. Is an appointed law enforcement officer responsible for the prevention and detection of crime and the enforcement of the criminal, traffic, or highway laws of this state;

ii. Is employed by and receives a salary authorized by an eligible state agency or public institution of higher education as a law enforcement officer on or before January 31, 2023;

iii. Has the statutory authority to enforce the criminal, traffic, and highway laws of the state and serves a law enforcement function of an eligible state law enforcement agency or public institution of higher education;

iv. Is employed as a law enforcement officer more than twenty-four (24) hours per week; and

v. Has satisfactorily completed a program of basic law enforcement training at a school approved by the Arkansas Commission on Law Enforcement Standards and training on or before June 30, 2023.

b. An eligible state agency or public institution of higher education will fall into one of the two (2) following groups, as determined by the Subcommittee:

i. **Group 1** shall consist of the following entities:

A. Arkansas Secretary of State;

B. Arkansas Game and Fish Commission;

C. Arkansas Department of Transportation;

D. Arkansas Department of Parks, Heritage and Tourism; and

E. Public institutions of higher education; and

ii. **Group 2** shall be determined by submission of applications by state agencies that employ eligible full-time law enforcement officers. Applications shall be submitted to the Subcommittee Commission on Law Enforcement Standards and Training (“CLEST”) beginning August October 1, 2023 and no later than September 30 December 31, 2023 on the form developed and provided by the Subcommittee, attached hereto as Attachment A. CLEST shall verify the eligibility of the officers included in the applications for stipends under Group 2, and shall provide the completed applications and eligibility verifications to the Subcommittee at the Subcommittee meeting in January

## Attachment A

As Adopted: June 14, 2023; Proposed Revision for July 19, 2023

2024. Following receipt of the completed verifications and applications, the Subcommittee shall determine the stipend amounts for Group 2 eligible full-time law enforcement officers and provide its recommendations regarding Group 2 stipend amounts to the Legislative Council.

c. A public institution of higher education that provided a stipend from its own funds over the past two (2) fiscal years, may be eligible for reimbursement of those stipend payments, to be disbursed from the Law Enforcement Stipends Set-Aside, as set forth in section 4 of these procedures.

### 3. Determination of Stipend Amounts.

a. **Group 1.** The Department of Finance and Administration shall disburse law enforcement salary stipends from the Law Enforcement Stipends Set-Aside in the form of grants to eligible full-time law enforcement officers employed by an entity in Group 1 in the same manner as those stipends were disbursed under Act 224 of 2022, in the following amounts:

i. A Group 1 entity that provided an average salary increase of greater than thirteen percent (13%) to its eligible full-time law enforcement officers over the past two (2) fiscal years shall receive a grant in the amount of two thousand dollars (\$2,000) for each eligible full-time law enforcement officer;

**(Greater than 13% salary increase = \$2,000 stipend)**

ii. A Group 1 entity that provided an average salary increase between six percent (6%) and thirteen percent (13%) to its eligible full-time law enforcement officers over the past two (2) fiscal years shall receive a grant in the amount of three thousand five hundred dollars (\$3,500) for each eligible full-time law enforcement officer;

**(6% to 13% salary increase = \$3,500 stipend)**

iii. A Group 1 entity that provided an average salary increase in an amount less than six percent (6%) to its eligible full-time law enforcement officers over the past two (2) fiscal years shall receive a grant in the amount of five thousand dollars (\$5,000) for each eligible full-time law enforcement officer; ~~and~~

**(Less than 6% salary increase = \$5,000 stipend)**

iv. Except as set forth in subdivision 2.b.i.E., concerning public institutions of higher education, A ~~a~~ Group 1 entity that has already provided stipends to its eligible full-time law enforcement officers in the amount of five thousand dollars (\$5,000) during the past two (2) fiscal years shall be excluded from consideration for additional disbursements from the Law Enforcement Stipends Set-Aside. ~~;~~ and

b. **Group 2.** The Subcommittee shall make a determination regarding stipend amounts for entities determined to be part of Group 2 based on the number of applications received in accordance with Section 2.b.ii. of these procedures and the

## Attachment A

As Adopted: June 14, 2023; Proposed Revision for July 19, 2023

amount of funds remaining in the Law Enforcement Stipends Set-Aside following payment of the grants to the Group 1 eligible full-time law enforcement officers.

### **4. Determination of Reimbursement Amounts – Public Institutions of Higher Education.**

a. A public institution of higher education that provided a stipend from its own funds over the past two (2) fiscal years, to eligible full-time law enforcement officers that it employs are eligible for reimbursement of the stipend payments, to be disbursed by the Department of Finance and Administration from the Law Enforcement Stipends Set-Aside, as follows:

i. A public institution of higher education that provided an average salary increase of greater than thirteen percent (13%) and a stipend to its eligible full-time law enforcement officers over the past two (2) fiscal years shall be reimbursed in the amount of two thousand dollars (\$2,000) for each eligible full-time law enforcement officer;

**(Greater than 13% salary increase = \$2,000 stipend reimbursement)**

ii. A public institution of higher education that provided an average salary increase between six percent (6%) and thirteen percent (13%) and a stipend to its eligible full-time law enforcement officers over the past two (2) fiscal years shall be reimbursed in the amount of three thousand five hundred dollars (\$3,500) for each eligible full-time law enforcement officer;

**(6% to 13% salary increase = \$3,500 stipend reimbursement)**

iii. A public institution of higher education that provided an average salary increase in an amount less than six percent (6%) and a stipend to its full-time law enforcement officers over the past two (2) fiscal years, including those that provided no salary increase, shall be reimbursed in the amount of five thousand dollars (\$5,000) for each eligible full-time law enforcement officer;

**(Less than 6% salary increase = \$5,000 stipend reimbursement)**

iv. A public institution of higher education that did not provide a stipend to its full-time law enforcement officers over the past two (2) fiscal years shall be eligible for stipend amounts, as determined under Section 3 of these procedures.

b. Funds disbursed to a public institution of higher education under this section shall be reimbursements to the institution and shall not be paid as an additional stipend to the law enforcement officers.

c. The Department of Finance and Administration shall confirm the eligibility of the law enforcement officers, under the eligibility criteria set forth in Section 2 of these procedures, to whom stipends were paid by a public institution of higher education prior to disbursing the reimbursement to the public institution of higher education.

## Attachment B

### Arkansas Legislative Council

(Act 561 of 2023 – Law Enforcement Stipends Set-Aside)

#### **Law Enforcement Officer Stipend Application**

Completed applications may be submitted by state agencies and public institutions of higher education employing law enforcement officers. Applications will be accepted beginning October 1, 2023, with the ***final deadline for submission on December 31, 2023***. Applications shall be submitted to the Commission on Law Enforcement Standards and Training (“CLEST”).

**Agency Name:** \_\_\_\_\_

Please provide the requested data **only** for full time law enforcement officers who meet the following eligibility criteria:

*An eligible full-time law enforcement officer means a person who:*

- i. Is an appointed law enforcement officer responsible for the prevention and detection of crime and the enforcement of the criminal, traffic, or highway laws of this state;*
- ii. Is employed by and receives a salary authorized by an eligible state agency or public institution of higher education as a law enforcement officer on or before January 31, 2023;*
- iii. Has the statutory authority to enforce the criminal, traffic, and highway laws of the state and serves a law enforcement function of an eligible state law enforcement agency or public institution of higher education;*
- iv. Is employed as a law enforcement officer more than twenty-four (24) hours per week; and*
- v. Has satisfactorily completed a program of basic law enforcement training at a school approved by the Arkansas Commission on Law Enforcement Standards and training on or before June 30, 2023.*

1. Please provide the number of eligible full-time law enforcement officers employed by your agency for whom you are requesting a stipend award, and submit this application and agency roster, Verification and Acknowledgement forms for each officer through the Acadis Portal following the attached instructions.

## **INSTRUCTIONS FOR SUBMITTING ELIGIBLE OFFICERS TO CLEST**

In order to verify an officer's eligibility for the stipend, the agency is responsible for submitting the following to CLEST:

1. A current roster of all full-time officers employed by the agency;
  - A complete copy of the agency's roster can be found on the agency's ACADIS portal account. To get a copy of the agency's roster, the agency's portal administrator can go to the ACADIS portal personnel tab. Once on the personnel tab:
    - Select filters at the top right
    - In the employment status select "any active status"
    - In the employment type select "full-time"
    - Select "apply"
    - Select the three dots to the right of "add employee" and export the list of employees
    - Save the roster named as your agency's name
  - Once the roster has been pulled and saved, make sure all of the officers are active, full-time law enforcement officers, at your agency. CLEST will check the roster your agency submits against the current roster CLEST has for your agency. Any discrepancies between the roster submitted by your agency and the current roster CLEST has for your agency must be corrected before eligibility for stipend payments will be certified to DFA.
2. A completed and signed copy of the "Officer Acknowledgment" Form for each eligible officer; and
  - The "Officer Acknowledgement" Form is posted on the CLEST website at <https://www.dps.arkansas.gov/law-enforcement/clest/standards/arkansas-full-time-law-enforcement-officer-salary-stipend/>. The form is a fillable PDF. CLEST will accept electronic signatures on this form.
3. A completed and signed "Verification Form" for each eligible officer.
  - The "Verification Form" is posted on the CLEST website at <https://www.dps.arkansas.gov/law-enforcement/clest/standards/arkansas-full-time-law-enforcement-officer-salary-stipend/>. The form is a fillable PDF. CLEST will accept electronic signatures on this form.
  - This form must be signed by the "chief law enforcement officer" of the agency. Forms signed by anyone other than the head law enforcement officer at the agency will be rejected by CLEST.

Questions related to the stipend can be directed to Kreasha Williams at the Office of Law Enforcement Standards (501) 682-2143.



## Group 1 Stipend and Reimbursement Amounts

Department, Agency & Institution Stipend Amounts			
Business Area	Agency Name	Average Increase %	Stipend Amount to be Paid
90	Highway & Transportation	15.90%	\$ 2,000.00
80	Game & Fish Commission	15.00%	\$ 2,000.00
150	University of AR for Medical Sciences - UAMS	14.58%	\$ 2,000.00
130	Arkansas Tech - ATU	14.00%	\$ 2,000.00
100	Henderson State	11.65%	\$ 3,500.00
129	ASU - Newport	11.00%	\$ 3,500.00
160	U of A - Pine Bluff - UAPB	10.91%	\$ 3,500.00
105	Southern Arkansas University - SAU	9.70%	\$ 3,500.00
198	Northwest Ark Community College	7.67%	\$ 3,500.00
167	U of A - Community College at Hope	7.00%	\$ 3,500.00
165	University of Central Arkansas - UCA	5.89%	\$ 5,000.00
677	Cossatot Community College of U of A	5.70%	\$ 5,000.00
185	North Arkansas College	3.50%	\$ 5,000.00
128	ASU - Mountain Home	0.00%	\$ 5,000.00
675	Black River Technical College	0.00%	\$ 5,000.00
691	Southeast Arkansas College	0.00%	\$ 5,000.00
193	South Ark. Community College	0.00%	\$ 5,000.00
689	U of A - Community College at Morrilton	0.00%	\$ 5,000.00
120	ASU- Beebe	0.00%	\$ 5,000.00
693	U of A Pulaski Tech	0.00%	\$ 5,000.00
63	Secretary of State	0.00%	\$ 5,000.00
9910 / 0900	Dept of Parks, Heritage, and Tourism	0.00%	\$ 5,000.00

Institution Reimbursement Amounts for Stipends Already Provided to Officers			
Business Area	Agency Name	Average Increase %	Stipend Reimbursement
125	ASU - Jonesboro	15.00%	\$ 2,000.00
145	University of AR Little Rock - UALR	11.55%	\$ 3,500.00
195	U of A - Fort Smith	3.00%	\$ 5,000.00
155	U of A - Monticello - UAM	2.70%	\$ 5,000.00
115	SAU - Tech	0.00%	\$ 5,000.00
135	U of A Fayetteville (UAF)	0.00%	\$ 5,000.00

Stipend Structure	
Increases 13% and above	\$ 2,000.00
Increases between 6% and 13%	\$ 3,500.00
Increases below 6%	\$ 5,000.00