

State of Arkansas
76th General Assembly
Regular Session, 1987
By: Representative Maddox

HOUSE BILL 1263

"AN ACT TO AMEND SUBSECTION 2.05 OF SECTION 2 OF ACT 793 OF 1977 AS AMENDED [ARK. STATS. 12-3302 2.05] TO INCLUDE PUBLIC SAFETY OFFICERS AS DEFINED IN THE ARKANSAS EMERGENCY SERVICES ACT OF 1973 AS PUBLIC SAFETY MEMBERS FOR PURPOSES OF THE PUBLIC EMPLOYEES RETIREMENT SYSTEM LAW; AND FOR OTHER PURPOSES."

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

SECTION 1. Subsection 2.05 of Section 2 of Act 793 of 1977 as amended, the same being Arkansas Statutes 12-3302 2.05, is hereby amended to read as follows:

"2.05. 'Public safety member' is a member whose covered employment is for personal services as a policeman, fireman or a public safety officer as defined in Act 511 of 1973 as amended. 'Policeman' means any regular or permanent employee, whose primary duty is law enforcement, of a municipal police department, a county sheriff's office, or the Arkansas State Police, including probationary policemen; and shall also include wildlife officers of the Arkansas Game and Fish Commission; provided the term 'policeman' shall not include any civilian employee of a police department, nor any person temporarily employed as a policeman during an emergency. 'Fireman' means any regular or permanent employee, whose primary duty is firefighting, of a fire department, including probationary firemen; provided, the term 'fireman' shall not include any civilian of a fire department, nor any person temporarily employed as a fireman during an emergency. 'Public safety officer' means public safety officer as defined in subsection (1) of Section 3 of Act 511 of 1973 as amended."

SECTION 2. All laws and parts of laws in conflict with this Act are

hereby repealed.

SECTION 3. EMERGENCY. It is hereby found and determined by the General Assembly that public safety officers as defined in the Arkansas Emergency Services Act of 1973 are not currently included within the definition of public safety member as that term is used in Act 793 of 1977 as amended, the Public Employees Retirement Law; that public safety officers as defined in the Arkansas Emergency Services Act of 1973 are truly officers whose primary responsibility is protecting the public safety and that they should be included as public safety members of the Public Employee Retirement System benefit provisions contained in Act 793 of 1977 as amended, and that this Act is designed to include such officers within that definition and should be given effect immediately. Therefore, an emergency is hereby declared to exist and this Act being necessary for the preservation of the public peace, health and safety shall be in full force and effect from and after its passage and approval.

