

State of Arkansas

76th General Assembly

Regular Session, 1987

AS ENGROSSED 2/17/87

HOUSE BILL

1405

By: Representative Gilbert AS ENGROSSED 3/25/87

"AN ACT TO PROVIDE WORKER'S COMPENSATION FOR DESIGNATED VOLUNTEER PUBLIC SAFETY WORKERS OF COUNTY GOVERNMENTS; TO REQUIRE AN INSURER OR OTHER ENTITY PROVIDING WORKER'S COMPENSATION COVERAGE TO A COUNTY TO PROVIDE COVERAGE TO QUALIFIED PUBLIC SAFETY VOLUNTEER WORKERS; AND FOR OTHER PURPOSES."

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

SECTION 1. For the purpose of this Act:

(A) "Volunteer Public Safety Organization" means

(1) A county organization for emergency services formed pursuant to Act 511 of 1973, as amended, the Arkansas Emergency Services Act;

(2) A sheriff's auxiliary formed pursuant to Act 757 of 1983, as amended;

(3) An ambulance service or rescue squad formed pursuant to Act 1221 of 1975 (Extended Session 1976) or any other improvement district law of this State or formed as a subordinate service district of the county; or

(4) A rural volunteer fire department formed as a subordinate service district of the county or as an improvement district, or subscription fire service departments formed as non-profit organizations under the laws of this State.

(B) "Volunteer Public Safety Worker" means an active volunteer member of a Volunteer Public Safety Organization.

SECTION 2. (A) The county governments of this State are hereby authorized to provide worker's compensation coverage pursuant to this Act for personal injury, disability or death of volunteer public safety workers while actually engaged in performing volunteer public safety duties.

(B) Any volunteer public safety organization desiring worker's compensation coverage for volunteer public safety workers of the organization may petition the quorum court of the county served by the organization for worker's compensation coverage under this Act. The quorum court may by majority vote elect to include the volunteer public safety workers as county employees for the sole purpose of worker's compensation coverage under the provisions of Act 866 of 1985, as amended, and subject to the limitations of this Act. The action by the quorum court shall not entitle the volunteer public safety workers to any benefits from the county other than worker's compensation coverage.

(C) The quorum court, at its discretion, may require, as a condition for coverage, that a volunteer public safety organization requesting worker's compensation coverage under this Act pay the premium for such coverage from any public funds available to such organization or that the quorum court make a deduction in the amount of the cost of such coverage from any amounts which the county would normally provide to the volunteer public safety organization.

(D) Volunteer public safety workers covered by worker's compensation pursuant to this Act shall be deemed to have received such wages as will qualify them for minimum benefits applicable with respect to injury, disability or death.

SECTION 3. Any insurer or other entity providing worker's compensation coverage to a county shall offer coverage for volunteer public safety workers on the same terms as for county employees.

SECTION 4. All laws and parts of laws in conflict with this Act are hereby repealed.

/s/ Ed Gilbert

