

State of Arkansas

77th General Assembly

Regular Session, 1989

A Bill

SENATE BILL

337

By: Senator Luelf

For An Act To Be Entitled

"AN ACT TO AMEND TITLE 27, CHAPTER 50, SUBCHAPTER 4 OF THE ARKANSAS CODE OF 1987, TO PROVIDE THAT THE COLLECTION OF A THREE DOLLAR (\$3.00) FINE FOR MOVING TRAFFIC VIOLATIONS BENEFIT RETIREMENT COVERAGE ADOPTED UNDER THE ARKANSAS LOCAL POLICE AND FIRE RETIREMENT SYSTEM; AND FOR OTHER PURPOSES."

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

SECTION 1. Arkansas Code 27-50-403 is hereby amended to read as follows:

"27-50-403. Applicable only to certain cities.

The penalties as provided in 27-50-401, and the collection thereof, shall only apply to those cities of the first and second class that provide retirement coverage to its certified police personnel under provisions of Arkansas law establishing the Policemen's Pension and Relief Fund, and those cities which have adopted coverage for certified police personnel under the Arkansas Local Police and Fire Retirement System, since July 1, 1981."

SECTION 2. Arkansas Code 27-50-404 is hereby amended to read as follows:

"27-50-404. Disposition of funds.

All penalties collected under the provisions of this subchapter shall be deemed to be collected for the benefit of employees of Policemen's Pension and Relief Fund or for payments to fund the employer share of retirement cost for certified police personnel, covered under the Arkansas Local Police and Fire Retirement System."

SECTION 3. Arkansas Code 27-50-405 is hereby amended to read as follows:

"27-50-405. Penalties to be remitted monthly.

All penalties collected under the provisions of this subchapter shall be

remitted, by the collecting officials, to the City Treasurer, City Clerk or City Recorder, for deposit into the Policemen's Pension and Relief Fund, or for deposit into the LOPFI Subsidy Account or City General fund, on or before the fifth day of the month following the month of collection thereof, in each city of the first or second class providing retirement coverage to its certified police personnel."

SECTION 4. Arkansas Code 27-50-406 is hereby amended to read as follows:

"27-50-406. Failure to collect and remit.

(a) Any official charged with the duty of collecting any of the penalties as prescribed in this subchapter shall be guilty of misfeasance in office and shall be subject to removal from office upon failure to collect the penalties and remit them to the City Treasurer, City Clerk, or City Recorder in each respective city of the first and second class of this state that provides retirement coverage to its certified police personnel coverage under the Policemen's Pension and Relief Fund or the Arkansas Local Police and Fire Retirement System since July 1, 1981.

(b) In addition, he shall be liable on his official bond for any penalties which are not collected or remitted as required in this subchapter."

SECTION 5. It is the express intention of this act to authorize cities which have adopted coverage under LOPFI to collect the same three dollar (\$3.00) fine on moving traffic violations, previously authorized for the benefit of Policemen's Pension and Relief Funds. In any municipality with a Policemen's Pension and Relief Fund, monies collected shall be deposited into the Relief Fund and not be used to defray the Arkansas Local Police and Fire Retirement System cost so long as there are active members in the Relief Fund.

SECTION 6. All provisions of this act of a general and permanent nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code Revision Commission shall incorporate the same in the Code.

SECTION 7. All laws and parts of laws in conflict with this act are hereby repealed.