

1 State of Arkansas
2 80th General Assembly
3 Regular Session, 1995

A Bill

HOUSE BILL 1439

4 By: Representatives Newman and Thomas

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For An Act To Be Entitled

8 "AN ACT TO AMEND ARKANSAS CODE 24-3-102(5) TO INCLUDE
9 CERTIFIED PROBATION AND PAROLE OFFICERS, PROBATION AND
10 PAROLE SUPERVISORS, THE PROBATION ADMINISTRATOR AND THE
11 PAROLE ADMINISTRATOR WITHIN THE DEFINITION OF _PUBLIC
12 SAFETY MEMBER_ IN THE PUBLIC EMPLOYEES RETIREMENT SYSTEM;
13 TO AMEND TITLE 24, CHAPTER 3, OF THE ARKANSAS CODE OF
14 1987, ANNOTATED TO ADD A NEW SECTION TO MAKE THE
15 DEPARTMENT OF COMMUNITY PUNISHMENT RESPONSIBLE FOR ANY
16 ADDITIONAL RETIREMENT COSTS; AND FOR OTHER PURPOSES."

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Subtitle

19 "TO INCLUDE CERTIFIED PROBATION AND
20 PAROLE OFFICERS, PROBATION AND PAROLE
21 SUPERVISORS AND PROBATION AND PAROLE
22 ADMINISTRATORS WITHIN THE DEFINITION OF
23 _PUBLIC SAFETY MEMBER_."

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

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27 SECTION 1. Arkansas Code 24-3-102(5) is hereby amended to read as
28 follows:

29 "(5) _Public safety member_ means a member whose covered employment is
30 for personal services as a police officer or fire fighter. _Police officer_
31 means any regular or permanent employee, whose primary duty is law
32 enforcement, of a municipal police department, a county sheriff's office, or
33 the Department of Arkansas State Police, including probationary police
34 officers, and shall also include wildlife officers of the Arkansas State Game
35 and Fish Commission, and all officers and the Director of the State Capitol

1 Police within the Secretary of State's Office, and certified probation and
2 parole officers, probation and parole supervisors, the probation
3 administrator and the parole administrator. The term police officer shall
4 not include any civilian employee of a police department or any person
5 temporarily employed as a police officer during an emergency. Fire fighter
6 means any regular or permanent employee of a fire department whose primary
7 duty is fire fighting, including probationary fire fighters, but the term
8 fire fighter shall not include any civilian of a fire department or any
9 person temporarily employed as a fire fighter during an emergency;"

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11 SECTION 2. The retirement credits for which the probation and parole
12 officers, supervisors, and administrators within the Department of Community
13 *Punishment would be eligible under this act shall apply to those persons*
14 *employed as of July 1, 1995 or thereafter employed as a probation or parole*
15 *officer, supervisor or administrator.*

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17 SECTION 3. Title 24, Chapter 3, of the Arkansas Code of 1987,
18 Annotated is hereby amended to add a new section to read as follow:

19 "24-3-108. Benefits for Probation and Parole Officers, Probation and
20 Parole Supervisors, Probation Administrator and Parole Administrator -
21 Responsibility for additional costs.

22 (a) For purposes of determining retirement benefits under this
23 chapter, all credited service, whenever earned, of persons employed as a
24 probation or parole officer, or supervisor, or administrator by the
25 Department of Community Punishment on *July 1, 1995*, and of persons thereafter
26 employed in such positions shall be treated as public safety member service.

27 (b) The additional cost to the system of this section shall be the
28 responsibility of the Department of Community Punishment, and the office
29 shall pay to the system any additional percent of covered payroll, as
30 computed by actuarial determination, at the same time as employer
31 contributions are paid by law for other employees.

32 (c) It is the specific intent of this section to provide that the
33 contributions determined by actuarial valuation shall be in addition to those
34 required by § 24-3-103(c).

35 (d) *Any person who, on July 1, 1995, is covered by a state supported*

1 retirement system and who, on July 2, 1995, was a member of the system in a
2 position defined by the system as 'public safety member', shall receive
3 credit for public safety member service for any service as a probation or
4 parole officer, supervisors, or administrator, which service was rendered
5 before July 1, 1995; provided, the additional cost to the system shall be the
6 responsibility of the member and he shall pay to the system any additional
7 cost, as computed by actuarial determination."
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9 SECTION 4. All provisions of this act of a general and permanent
10 nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas
11 Code Revision Commission shall incorporate the same in the Code.
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13 SECTION 5. If any provision of this act or the application thereof to
14 any person or circumstance is held invalid, such invalidity shall not affect
15 other provisions or applications of the act which can be given effect without
16 the invalid provision or application, and to this end the provisions of this
17 act are declared to be severable.
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19 SECTION 6. All laws and parts of laws in conflict with this act are
20 hereby repealed.

21 */s/Rep. Newman, et al*
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