

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

# A Bill

HOUSE BILL 1494

4 By: Representative Mullenix

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## For An Act To Be Entitled

8 "AN ACT TO AMEND ARKANSAS CODE § 24-11-422 TO PROVIDE THE  
9 SAME SALARY BASE TO BE USED IN DETERMINING THE PENSION  
10 BENEFITS IN MUNICIPAL FIRE AND POLICE PENSION FUNDS; AND  
11 FOR OTHER PURPOSES."

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## Subtitle

14 "TO PROVIDE THE SAME SALARY BASE SHALL  
15 BE USED TO CALCULATE PENSION BENEFITS  
16 FROM POLICE PENSION FUNDS AS FOR FIRE  
17 PENSION FUNDS"

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

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21 SECTION 1. Arkansas Code § 24-11-422(a) is amended to read as follows:

22 "(a)(1) Any member of a police department who has performed faithful  
23 service for a period of at least twenty (20) years shall be eligible for  
24 voluntary retirement and, upon written application by the member, the board  
25 of trustees shall place him on the pension roll at one-half (1/2) the actual  
26 salary attached to the rank he held at the time he retired.

27 (2)(A)(i) The term salary as used herein shall mean regular  
28 salary only and shall not include, except as otherwise provided in  
29 subdivision (a)(2)(ii) of this section, overtime pay, payments for unused  
30 accrued sick or annual leave, or the cash value of any nonrecurring or  
31 unusual remuneration.

32 (ii) The term salary may include the  
33 payments to a police officer for unused accrued sick leave not to exceed  
34 ninety (90) work days recorded on the records of the city or town as of the  
35 officer's date of retirement, provided the municipality agrees, by ordinance,

1 to make adequate contributions to the fund to cover the additional costs for  
2 the benefits from the increased salary and the fund is judged by an actuarial  
3 determination to be actuarially sound. The board of trustees shall determine  
4 the actuarial costs of the payments for the unused accrued sick leave to the  
5 fund.

6 (B) The overtime exclusion shall not apply to a benefit  
7 computed at any time on a salary year prior to June 28, 1985."

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9 SECTION 2. All provisions of this act of general and permanent nature  
10 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code  
11 Revision Commission shall incorporate the same in the Code.

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13 SECTION 3. If any provisions of this act or the application thereof to  
14 any person or circumstance is held invalid, the invalidity shall not affect  
15 other provisions or applications of the act which can be given effect without  
16 the invalid provisions or application, and to this end the provisions of this  
17 act are declared to be severable.

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19 SECTION 4. All laws and parts of laws in conflict with this act are  
20 hereby repealed.

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