1 State of Arkansas
2 80th General Assembly
A Bill
3 Regular Session, 1995   HOUSE BILL   1508
4 By: Representative B. Wood

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7   **For An Act To Be Entitled**
8   "AN ACT TO AMEND ARKANSAS CODE § 24-10-301 AND ARKANSAS
9   CODE § 24-10-501 TO ELIMINATE THE MAXIMUM AGE LIMIT FOR
10   MEMBERS TO EARN SERVICE CREDIT FOR THE LOCAL POLICE AND
11   FIRE RETIREMENT SYSTEM; AND FOR OTHER PURPOSES."

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13   **Subtitle**
14   "TO ELIMINATE THE MAXIMUM AGE LIMIT FOR
15   MEMBERS TO EARN SERVICE CREDIT UNDER THE
16   LOCAL POLICE AND FIRE RETIREMENT SYSTEM
17   (LOPFI)."

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

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21   SECTION 1. Arkansas Code § 24-10-301 is amended to read as follows:
22   "24-10-301. Generally.
23   (a) The membership of the system shall include the following persons:
24   (1) If his employer had its fire fighters covered by a relief
25 fund on the operative date, each person first employed as a fire fighter on
26 or after the operative date shall become a member of this system and not be a
27 member of the relief fund;
28   (2) If his employer had its police officers covered by a relief
29 fund on the operative date, each person first employed as a police officer on
30 or after the operative date shall become a member of this system and not be a
31 member of the relief fund;
32   (3) If his employer did not have its fire fighters covered by a
33 relief fund on the operative date, all persons employed as fire fighters on
34 the date the employer covers fire fighters under this subchapter shall become
35 members of the system as of that date, and each person first employed as a

1 fire fighter thereafter shall become a member upon employment;

2 (4) If his employer did not have its police officers covered by
3 a relief fund on the operative date, all persons employed as police officers
4 on the date the employer covers police officers under this subchapter shall
5 become members of the system as of that date, and each person first employed
6 as a police officer thereafter shall become a member upon employment.

7 (b) In any case of question as to the system membership status of any
8 person, the board shall decide the question.

9 (c)(1) When covering a person first employed in paid service as a fire
10 fighter or police officer on or after July 1, 1985, the employer shall
11 require an employment physical examination of the employee, under criteria
12 established by the Arkansas Local Police and Fire Retirement System Board.

13 (2) The employer shall submit a copy of the examination to the
14 system within thirty (30) days of the date of hire."

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16 SECTION 2. Arkansas Code § 24-10-501 is amended to read as follows:
17 "24-10-501. Paid and volunteer service.

18 (a) The board shall fix and determine by rules and regulations the
19 number of years and months of paid service to be credited each member for his
20 employment as an employee. In no case shall one (1) month of paid service
21 credit be credited for any one (1) calendar month after the operative date
22 for which an employee's pay is less than the minimum amount specified in this
23 chapter, nor shall more than one (1) year of service be credited any member
24 for all covered employment rendered by him in any one (1) calendar year.

25 (b)(1) Each employer shall regularly report to the board the calendar
26 months of covered employment by each of its members which the employer wishes
27 to be credited to the member as volunteer service.

28 (2) The board shall credit the member with the volunteer
29 service; but, in no case shall one (1) month of volunteer service be credited
30 for any one (1) calendar month for which a month of paid service can be
31 granted, nor shall more than one (1) year of service be credited for all
32 covered employment rendered by him in any one (1) calendar year.

33 (c)(1) Not later than one (1) year from and after the date an employer
34 covers its employees, and before the retirement of a member included in the
35 employees so covered, the employer shall certify to the board the periods of

1 prior employment of each of its members to be considered for credit as paid
2 service and for credit as volunteer service.

3   (2)   No prior employment shall be so certified by an employer for
4 any member unless he was employed by the employer within the one-year period
5 immediately preceding the date an employer covers its employees and unless he
6 is continuously employed by the employer:

7   (A)   From and after that date for one (1) year;

8   (B)   Until his death; or

9   (C)   Until his total and permanent disability, whichever is
10 earliest.

11   (d)   Anything contained herein to the contrary notwithstanding, not
12 later than June 30, 1995, an employer with employees who were not accruing
13 service credit because of the age related limitation on credited service in
14 subsections of (a) and (b) of this section in existence prior to the
15 effective date of this subsection, and who are or would accrue service credit
16 without such limitations on credited service, shall certify to the board the
17 period or periods of previous employment of each such employee to be
18 considered for credited service, and such previous employment shall be
19 considered for credited service provided the employee pays to the system by
20 December 31, 1995, the total member contributions he would have contributed
21 to the system had such age related limitation not been in effect."
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23   SECTION 3.   All provisions of this act of general and permanent nature
24 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
25 Revision Commission shall incorporate the same in the Code.
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27   SECTION 4.   If any provisions of this act or the application thereof to
28 any person or circumstance is held invalid, the invalidity shall not affect
29 other provisions or applications of the act which can be given effect without
30 the invalid provisions or application, and to this end the provisions of this
31 act are declared to be severable.
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33   SECTION 5.   All laws and parts of laws in conflict with this act are
34 hereby repealed.
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