

1 State of Arkansas  
2 80th General Assembly  
3 Regular Session, 1995  
4 By: Representative Kidd

# A Bill

HOUSE BILL 1534

## For An Act To Be Entitled

8 "AN ACT TO AMEND ARKANSAS CODE 24-3-102(5) TO INCLUDE  
9 CORRECTIONAL OFFICERS OF THE DEPARTMENT OF CORRECTION AND  
10 OF THE DEPARTMENT OF COMMUNITY PUNISHMENT AS PUBLIC  
11 SAFETY MEMBERS FOR RETIREMENT PURPOSES; TO AMEND TITLE  
12 24, CHAPTER 3, OF THE ARKANSAS CODE OF 1987, ANNOTATED TO  
13 ADD A NEW SECTION ARKANSAS CODE § 24-3-108 TO MAKE THE  
14 DEPARTMENT OF CORRECTION RESPONSIBLE FOR ANY ADDITIONAL  
15 RETIREMENT COSTS; AND FOR OTHER PURPOSES."

## Subtitle

17 "TO INCLUDE CORRECTIONAL OFFICERS OF THE  
18 DEPARTMENT OF CORRECTION AND THE  
19 DEPARTMENT OF COMMUNITY PUNISHMENT AS  
20 PUBLIC SAFETY MEMBERS FOR RETIREMENT  
21 PURPOSES AND RETIREMENT COSTS."  
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24  
25 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

26  
27 SECTION 1. Arkansas Code 24-3-102(5) is amended to read as follows:

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

1 officers, *food service officers and Emergency Response Team Members* of the  
2 Department of Correction and of the Department of Community Punishment. The  
3 term *\_police officer\_* shall not include any civilian employee of a police  
4 department or any person temporarily employed as a police officer during an  
5 emergency. *\_Fire fighter\_* means any regular or permanent employee of a fire  
6 department whose primary duty is fire fighting, including probationary fire  
7 fighters, but the term *\_fire fighter\_* shall not include any civilian employee  
8 of a fire department or any person temporarily employed as a fire fighter  
9 during an emergency;"

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11 SECTION 2. Subchapter 1 of Chapter 3 of Title 24 of the Arkansas Code  
12 is amended by adding a new section at the end thereof to read as follows:

13 "24-3-108. Benefits for correctional officers, *food service officers*  
14 *and Emergency Response Team Members* - Responsibility for additional costs.

15 (a) For purposes of determining retirement benefits under this  
16 chapter, all credited service *earned after June 30, 1995* by persons employed  
17 as correctional officers, *food service officers and Emergency Response Team*  
18 *Members* by the Arkansas Department of Correction and the Arkansas Department  
19 of Community Punishment shall be treated as public safety member service.

20 (b) The additional cost to the system of funding benefits for such  
21 officers as provided in this section shall be the responsibility of the  
22 Department of Correction and the Department of Community Punishment and the  
23 *respective departments shall pay at the time other employer contributions are*  
24 *paid such additional percent of covered payroll as is actuarially determined*  
25 *to be necessary to fund benefits based on credited service earned after June*  
26 *30, 1995.*

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

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31 SECTION 3. All provisions of this act of a general and permanent  
32 nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas  
33 Code Revision Commission shall incorporate the same in the Code.

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35 SECTION 4. If any provision of this act or the application thereof to

1 any person or circumstance is held invalid, such invalidity shall not affect  
2 other provisions or applications of the act which can be given effect without  
3 the invalid provision or application, and to this end the provisions of this  
4 act are declared to be severable.

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6 SECTION 5. All laws and parts of laws in conflict with this act are  
7 hereby repealed.

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9 SECTION 6. *It is hereby found and determined by the General Assembly*  
10 *that correctional officers, food service officers, and emergency response*  
11 *team members of the Department of Correction and of the Department of*  
12 *Community Punishment should be classified as public safety members for*  
13 *retirement purposes; that this act so provides; and that this act should go*  
14 *into effect at the beginning of the next fiscal year. Therefore, an*  
15 *emergency is hereby declared to exist, and this act being immediately*  
16 *necessary for the preservation of the public peace, health, and safety shall*  
17 *be in full force and effect from and after July 1, 1995.*

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*/s/Rep Kidd*

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***As Engrossed: 2/27/95 2/28/95 3/1/95***

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