

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

A Bill

HOUSE BILL 1974

For An Act To Be Entitled

"AN ACT TO AMEND ARKANSAS CODE 24-3-102(5) TO INCLUDE
SPECIALIZED POLICE PERSONNEL EMPLOYED AT A REGIONAL
DETENTION FACILITY IN THE DEFINITION OF A "PUBLIC SAFETY
MEMBER" FOR PUBLIC EMPLOYEE PENSION PURPOSES UNDER
ARKANSAS CODE 24-3-301; AND TO AMEND TITLE; AND FOR OTHER
PURPOSES."

Subtitle

"INCLUDE SPECIALIZED POLICE PERSONNEL
EMPLOYED AT A REGIONAL DETENTION
FACILITY IN THE DEFINITION OF A "PUBLIC
SAFETY MEMBER" FOR PUBLIC EMPLOYEE
PENSION PURPOSES UNDER ARKANSAS CODE 24-
3-301; AND TO AMEND TITLE."

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

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

"(5) Public safety member means a member whose covered employment is for personal services as a police officer or fire fighter. Police officer means any regular or permanent employee, whose primary duty is law enforcement, of a municipal police department, a county sheriff's office, or the Department of Arkansas State Police, including probationary police officers, and including specialized police personnel as defined by the Arkansas Commission on Law Enforcement Standards and Training who are employed at a regional detention facility; and shall also include wildlife officers of the Arkansas State Game and Fish Commission, and all officers and the Director of the State Capitol Police within the office of the Secretary

1 of State. The term _police officer_ shall not include any civilian employee
2 of a police department or any person temporarily employed as a police officer
3 during an emergency. _Fire fighter_ means any regular or permanent employee
4 of a fire department whose primary duty is fire fighting, including
5 probationary fire fighters, but the term _fire fighter_ shall not include any
6 civilian employee of a fire department or any person temporarily employed as
7 a fire fighter during an emergency;"

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

11 "24-3-108. Benefits for special police employed in regional detention
12 facilities - Responsibility for additional costs.

13 (a) For purposes of determining retirement benefits under this
14 chapter, all credited service, whenever earned, of persons employed as
15 special police by regional detention facilities on the effective date of this
16 act, and of persons thereafter employed in such positions, shall be treated
17 as public safety member service. Service by special police prior to the
18 effective date of this act shall be credited as public safety service only if
19 the officer elects the prior service credit and makes contributions under the
20 following section.

21 (b) The additional cost of the system of funding benefits earned by
22 such officers after the effective date of this act shall be the
23 responsibility of the employing county, which shall pay at the time other
24 employer contributions are paid, such additional percent of covered payroll
25 as is actuarially determined to be necessary to fund benefits based on
26 credited service earned after the effective date of the act; provided further
27 that the individual employee, if that employee so elects to be credited for
28 public safety service prior to the effective date of this act, shall pay to
29 the system such amounts as are actuarially determined to be necessary to fund
30 benefits for credited service earned by the officers prior to the effective
31 date of this act.

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)."

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

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5 SECTION 4. If any provision of this act or the application thereof to
6 any person or circumstance is held invalid, such invalidity shall not affect
7 other provisions or applications of the act which can be given effect without
8 the invalid provision or application, and to this end the provisions of this
9 act are declared to be severable.

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

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