

1 State of Arkansas
2 81st General Assembly
3 Regular Session, 1997

A Bill

SENATE BILL 449

4
5 By: Senator Todd

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 ARKANSAS CODE TITLE 24, CHAPTER 3, TO ADD A NEW
14 SECTION TO MAKE THE DEPARTMENT OF COMMUNITY PUNISHMENT
15 RESPONSIBLE FOR ANY ADDITIONAL RETIREMENT COSTS; AND FOR
16 OTHER PURPOSES."

Subtitle

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

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28 SECTION 1. Arkansas Code 24-3-102(5), concerning uniform retirement
29 benefits, is amended to read as follows:

30 "(5) Public safety member means a member whose covered employment is
31 for personal services as a police officer or fire fighter.

32 (A)(i) Police officer means any regular or permanent employee,
33 whose primary duty is law enforcement of a municipal police department, a
34 county sheriff's office, or the Department of Arkansas State Police, including
35 probationary police officers, and shall also include wildlife officers of the
36 Arkansas State Game and Fish Commission, and all officers and the Director of

1 the State Capitol Police within the office of the Secretary of State, and
2 certified probation and parole officers, probation and parole supervisors, the
3 probation administrator and the parole administrator.

4 (ii) The term police officer shall not include any civilian
5 employee of a police department or any person temporarily employed as a police
6 officer during an emergency.

7 (B) Fire fighter means any regular or permanent employee of a
8 fire department whose primary duty is fire fighting, including probationary
9 fire fighters, but the term fire fighter shall not include any civilian
10 employee of a fire department or any person temporarily employed as a fire
11 fighter during an emergency;"

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13 SECTION 2. The retirement credits for which the probation and parole
14 officers, supervisors, and administrators within the Department of Community
15 Punishment would be eligible under this act shall apply to those persons
16 employed as of July 1, 1997 or thereafter employed as a probation or parole
17 officer, supervisor or administrator.

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19 SECTION 3. Arkansas Code Title 24, Chapter 3 is amended to add a new
20 section to read as follow:

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

24 (a) For purposes of determining retirement benefits under this chapter,
25 all credited service, whenever earned, of persons employed as a probation or
26 parole officer, or supervisor, or administrator by the Department of Community
27 Punishment on July 1, 1997, and of persons thereafter employed in such
28 positions shall be treated as public safety member service.

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

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

1 (d) Any person who, on July 1, 1997, is covered by a state supported
2 retirement system and who, on July 2, 1997, was a member of the system in a
3 position defined by the system as public safety member, shall receive credit
4 for public safety member service for any service as a probation or parole
5 officer, supervisors, or administrator, which service was rendered before July
6 1, 1997; provided, the additional cost to the system shall be the
7 responsibility of the member and he shall pay to the system any additional
8 cost, as computed by actuarial determination."

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10 SECTION 4. All provisions of this act of a general and permanent nature
11 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
12 Revision Commission shall incorporate the same in the Code.

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14 SECTION 5. If any provision of this act or the application thereof to
15 any person or circumstance is held invalid, such invalidity shall not affect
16 other provisions or applications of the act which can be given effect without
17 the invalid provision or application, and to this end the provisions of this
18 act are declared to be severable.

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

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