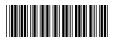
Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1	State of Arkansas	A D:11			
2	86th General Assembly	A Bill			
3	Regular Session, 2007		HOUSE BILL	1253	
4					
5	By: Representative D. Johnson	1			
6					
7					
8		For An Act To Be Entitled			
9	AN ACT TO AUTHORIZE THE PAYMENT OF RETROACTIVE				
10	BENEFIT I	INCREASES TO SURVIVING SPOUSES OF			
11	DECEASED	FIREFIGHTERS KILLED WHILE ON DUTY WH	0		
12	APPLY FO	R BENEFIT RESTORATION; AND FOR OTHER			
13	PURPOSES				
14					
15		Subtitle			
16	TO AU	THORIZE THE PAYMENT OF RETROACTIVE			
17	BENEFIT INCREASES TO SURVIVING SPOUSES				
18	OF DEC	CEASED FIREFIGHTERS KILLED WHILE ON			
19	DUTY I	WHO APPLY FOR BENEFIT RESTORATION.			
20					
21					
22	BE IT ENACTED BY THE GE	ENERAL ASSEMBLY OF THE STATE OF ARKANS	SAS:		
23					
24	SECTION 1. Arkar	nsas Code § 24-11-820(b)(4), concernin	ng benefits to		
25	surviving spouses of de	eceased firefighters, is amended to re	ead as follows	:	
26	(4) <u>(A)</u> If	any spouse or child shall marry, he o	or she shall		
27	thereafter receive no f	Eurther pension under this subchapter.	. However, if	he	
28	or she is a surviving s	spouse of a firefighter who is killed	while in the		
29	official performance of his or her duties, then that surviving spouse's				
30	benefits may be restore	ed to the spouse whose benefits had be	een terminated		
31	before or after August	1, 1997, upon his or her application	to and approv	al	
32	by the board of trustee	es.			
33	<u>(B)</u>	The benefit restored under subdivision	on (b)(4)(A) o	f	
34	this section may includ	le retroactive benefit increases to th	he last amount		
35	received by the survivi	ing spouse upon approval of the board	of trustees a	fter	
36	obtaining results of an	n actuarial study to determine its eff	fect on the fu	nd.	



1	The benefit restoration shall not include any retroactive lump sum payment.			
2				
3	SECTION 2. EMERGENCY CLAUSE. It is hereby found and determined by the			
4	General Assembly of the State of Arkansas that surviving spouses of			
5	firefighters killed while on duty lose retirement benefits upon any			
6	remarriage and should be able to have retirement benefits restored, upon			
7	application to their fund's board of trustees, and also be eligible for			
8	benefit increases granted during the interim between their benefit			
9	termination and restoration, subject to the board of trustees' discretion;			
10	and that this act is immediately necessary for the protection of these			
11	surviving spouses of firefighters. Therefore, an emergency is declared to			
12	exist and this act being immediately necessary for the preservation of the			
13	public peace, health, and safety shall become effective on:			
14	(1) The date of its approval by the Governor;			
15	(2) If the bill is neither approved nor vetoed by the Governor,			
16	the expiration of the period of time during which the Governor may veto the			
17	bill; or			
18	(3) If the bill is vetoed by the Governor and the veto is			
19	overridden, the date the last house overrides the veto.			
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