

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  
2 86th General Assembly  
3 Regular Session, 2007  
4

As Engrossed: S3/28/07

# A Bill

SENATE BILL 157

5 By: Senator J. Jeffress  
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## For An Act To Be Entitled

8  
9 AN ACT CONCERNING THE RESUMPTION OF CREDITED  
10 SERVICE AS A PUBLIC SAFETY MEMBER IN THE ARKANSAS  
11 PUBLIC EMPLOYEES' RETIREMENT SYSTEM; AND FOR  
12 OTHER PURPOSES.  
13

## Subtitle

14  
15 AN ACT CONCERNING THE RESUMPTION OF  
16 CREDITED SERVICE AS A PUBLIC SAFETY  
17 MEMBER IN THE ARKANSAS PUBLIC  
18 EMPLOYEES' RETIREMENT SYSTEM.  
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21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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23 SECTION 1. Arkansas Code § 24-4-101(34), concerning the definition of  
24 "public safety member", is amended to read as follows:

25 (34)(A) "Public safety member" means a noncontributory member  
26 whose covered employment is for personal services as a police officer or  
27 firefighter and his or her employment commenced prior to July 1, 1997.

28 (B)(i) "Police officer" means any regular or permanent  
29 employee whose primary duty is law enforcement of a municipal police  
30 department, a county sheriff's office, or the Department of Arkansas State  
31 Police, including probationary police officers, and shall also include  
32 wildlife officers of the Arkansas State Game and Fish Commission and all  
33 officers and the Director of the State Capitol Police within the office of  
34 the Secretary of State.

35 (ii) An officer who, although assigned to  
36 administrative duties, is still subject to call for service at patrol duty or



1 duty in the field or is subject to call for duties in emergency situations  
2 requiring the officer to be armed with a firearm shall be considered to have  
3 the primary duty of law enforcement for the purpose of this subdivision  
4 (34)(B).

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

8 (C)(i) "Firefighter" means any regular employee of a fire  
9 department whose primary duty is fire fighting, including probationary  
10 firefighters.

11 (ii) "Firefighter" shall not include any civilian  
12 employee of a fire department or any person temporarily employed as a  
13 firefighter during an emergency.

14 (D)(i) "Public safety member" shall not include a member  
15 whose employment as a police officer or firefighter commenced on or after  
16 July 1, 1997.

17 (ii)(a) If a public safety member leaves his or her  
18 employment as a police officer or firefighter for employment as a police  
19 officer or firefighter in a position covered by the Arkansas Public  
20 Employees' Retirement System, Arkansas State Highway Employees' Retirement  
21 System, State Police Retirement System, or Arkansas Local Police and Fire  
22 Retirement System and returns to his or her previous employment as a police  
23 officer or firefighter, the public safety member shall resume receiving  
24 credited service at one and one-half (1 1/2) times the regular rate for  
25 crediting service.

26 (b) A person eligible to resume receiving  
27 public safety credit prior to the effective date of subdivision  
28 (34)(D)(ii)(a) of this section shall receive credited service for his or her  
29 return to employment as a police officer or firefighter at one and one-half  
30 (1 1/2) times the regular rate for crediting service.

31 (E) A public safety member who receives or has received  
32 credited service at one and one-half (1 1/2) times the regular rate for  
33 crediting service may change employers and continue to receive credited  
34 service at one and one-half (1 1/2) times the regular rate for crediting  
35 service, provided:

36 (i) The person is employed as a public safety

1 officer within six (6) months of termination from employment as a public  
2 safety member; and

3 (ii) The employer provides public safety officers  
4 credited service at one and one-half (1 1/2) times the regular rate for  
5 crediting service;

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/s/ J. Jeffress

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