

1 State of Arkansas
2 94th General Assembly
3 Regular Session, 2023

A Bill

HOUSE BILL 1067

4
5 By: Representative Andrews

For An Act To Be Entitled

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8 AN ACT CONCERNING THE QUALIFICATIONS FOR
9 FIREFIGHTERS; TO PROHIBIT MUNICIPAL FIRE DEPARTMENTS
10 AND FIRE PROTECTION DISTRICTS FROM HAVING A RESIDENCY
11 REQUIREMENT FOR CERTAIN FIREFIGHTERS; AND FOR OTHER
12 PURPOSES.

Subtitle

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16 TO PROHIBIT MUNICIPAL FIRE DEPARTMENTS
17 AND FIRE PROTECTION DISTRICTS FROM HAVING
18 A RESIDENCY REQUIREMENT FOR CERTAIN
19 FIREFIGHTERS.

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

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24 SECTION 1. Arkansas Code Title 14, Chapter 53, is amended to add an
25 additional section to read as follows:

26 14-53-113. Residency requirement prohibited.

27 (a)(1) As used in this section, "firefighter" means a full-time, paid
28 member of a municipal fire department who is employed by the municipality and
29 whose primary duty is fighting fires.

30 (2) "Firefighter" does not include the chief or head of the fire
31 department.

32 (b) Notwithstanding any law, resolution, or ordinance to the contrary,
33 a municipality shall not dismiss, discipline, fine, or penalize a firefighter
34 or deny employment to a person applying to be a firefighter based on where
35 the firefighter or person applying to be a firefighter resides.

36 (c) This section does not:



1 (1) Apply to a fire department that uses both full-time, paid
 2 firefighters and volunteer firefighters; or

3 (2) Affect a municipal fire department's policies concerning:

4 (A) The use of a vehicle owned by the municipal fire
 5 department by a firefighter who is not on duty; or

6 (B) Firefighters who, based on their assignment, are
 7 required to respond to an emergency or call out within a specific time
 8 period.

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 10 SECTION 2. Arkansas Code Title 14, Chapter 284, Subchapter 1, is
 11 amended to add an additional section to read as follows:

12 14-284-126. Residency requirement prohibited.

13 (a)(1) As used in this section, "firefighter" means a full-time, paid
 14 member of a fire protection district who is employed by the board of
 15 commissioners of a fire protection district and whose primary duty is
 16 fighting fires.

17 (2) "Firefighter" does not include the chief or head of the fire
 18 protection district.

19 (b) Notwithstanding any law, resolution, or ordinance to the contrary,
 20 a board of commissioners of a fire protection district shall not dismiss,
 21 discipline, fine, or penalize a firefighter or deny employment to a person
 22 applying to be a firefighter based on where the firefighter or person
 23 applying to be a firefighter resides.

24 (c) This section does not:

25 (1) Apply to a fire protection district that uses both full-
 26 time, paid firefighters and volunteer firefighters; or

27 (2) Affect a fire protection district's policies concerning:

28 (A) The use of a vehicle owned by the fire protection
 29 district by a firefighter who is not on duty; or

30 (B) Firefighters who, based on their assignment, are
 31 required to respond to an emergency or call out within a specific time
 32 period.

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 34 SECTION 3. Arkansas Code Title 14, Chapter 284, Subchapter 2, is
 35 amended to add an additional section to read as follows:

36 14-284-227. Residency requirement prohibited.

1 (a)(1) As used in this section, "firefighter" means a full-time, paid
2 member of a fire protection district who is employed by the board of
3 commissioners of a fire protection district and whose primary duty is
4 fighting fires.

5 (2) "Firefighter" does not include the chief or head of the fire
6 protection district.

7 (b) Notwithstanding any law, resolution, or ordinance to the contrary,
8 a board of commissioners of a fire protection district shall not dismiss,
9 discipline, fine, or penalize a firefighter or deny employment to a person
10 applying to be a firefighter based on where the firefighter or person
11 applying to be a firefighter resides.

12 (c) This section does not:

13 (1) Apply to a fire protection district that uses both full-
14 time, paid firefighters and volunteer firefighters; or

15 (2) Affect a fire protection district's policies concerning:

16 (A) The use of a vehicle owned by the fire protection
17 district by a firefighter who is not on duty; or

18 (B) Firefighters who, based on their assignment, are
19 required to respond to an emergency or call out within a specific time
20 period.

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