

1 State of Arkansas
2 94th General Assembly
3 Regular Session, 2023
4

As Engrossed: H1/17/23

A Bill

HOUSE BILL 1067

5 By: Representative Andrews
6 By: Senator Stone
7

For An Act To Be Entitled

9 AN ACT CONCERNING THE QUALIFICATIONS FOR
10 FIREFIGHTERS; TO PROHIBIT MUNICIPAL FIRE DEPARTMENTS
11 AND FIRE PROTECTION DISTRICTS FROM HAVING A RESIDENCY
12 REQUIREMENT FOR CERTAIN FIREFIGHTERS; AND FOR OTHER
13 PURPOSES.
14
15

Subtitle

16 TO PROHIBIT MUNICIPAL FIRE DEPARTMENTS
17 AND FIRE PROTECTION DISTRICTS FROM HAVING
18 A RESIDENCY REQUIREMENT FOR CERTAIN
19 FIREFIGHTERS.
20
21
22

23 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
24

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

27 14-53-113. Residency requirement prohibited.

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

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

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



1 (c) This section does not:

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

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

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

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

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

13 14-284-126. Residency requirement prohibited.

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

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

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

25 (c) This section does not:

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

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

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

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

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

1 14-284-227. Residency requirement prohibited.

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

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

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

13 (c) This section does not:

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

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

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

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

22
23 */s/Andrews*
24
25
26
27
28
29
30
31
32
33
34
35
36