

1 State of Arkansas As Engrossed: H1/17/23 H3/2/23 H3/14/23

2 94th General Assembly

A Bill

3 Regular Session, 2023

HOUSE BILL 1067

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5 By: Representative Andrews

6 By: Senator Stone

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For An Act To Be Entitled

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AN ACT CONCERNING THE QUALIFICATIONS FOR

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FIREFIGHTERS; TO MODIFY THE LAW CONCERNING RESIDENCY

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REQUIREMENTS FOR CERTAIN FIREFIGHTERS; AND FOR OTHER

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PURPOSES.

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Subtitle

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TO MODIFY THE LAW CONCERNING RESIDENCY

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REQUIREMENTS FOR CERTAIN FIREFIGHTERS.

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

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

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14-53-113. Residency requirement.

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

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

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(b) A residency requirement for a municipal fire department may be established by ordinance or resolution for firefighters or persons applying to be a firefighter only if the municipal fire department:

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(1) Uses full-time, paid firefighters and volunteer firefighters;

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(2) Is a volunteer fire department; or

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(3) Uses part-time paid firefighters and firefighters who are



1 paid an appearance fee.

2 (c) A residency requirement that is enacted under subsection (b) of
3 this section shall not affect the residency or employment status of a
4 firefighter who is employed with the municipal fire department at the time
5 the residency requirement is adopted.

6 (d) For the purpose of hiring, a municipal fire department may give
7 preference to a person applying to be a firefighter who is a resident of the
8 state, a county adjacent to the county in which the municipal fire department
9 is located, or the county in which the municipal fire department is located.

10 (e) This section does not affect a municipal fire department's
11 policies concerning:

12 (1) The use of a vehicle owned by the municipal fire department
13 by a firefighter who is not on duty; or

14 (2) Firefighters who, based on their assignment, are required to
15 respond to an emergency or call out within a specific time period.

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

19 14-284-126. Residency requirement.

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

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

26 (b) A residency requirement for a fire protection district may be
27 established by ordinance or resolution for firefighters or persons applying
28 to be a firefighter only if the fire protection district:

29 (1) Uses full-time, paid firefighters and volunteer
30 firefighters;

31 (2) Is a volunteer fire department; or

32 (3) Uses part-time paid firefighters and firefighters who are
33 paid an appearance fee.

34 (c) A residency requirement that is enacted under subsection (b) of
35 this section shall not affect the residency or employment status of a
36 firefighter who is employed with the fire protection district at the time the

1 residency requirement is adopted.

2 (d) For the purpose of hiring, a fire protection district may give
3 preference to a person applying to be a firefighter who is a resident of the
4 state, a county adjacent to the county in which the fire protection district
5 is located, or the county in which the fire protection district is located.

6 (e) This section does not affect a fire protection district's policies
7 concerning:

8 (1) The use of a vehicle owned by the fire protection district
9 by a firefighter who is not on duty; or

10 (2) Firefighters who, based on their assignment, are required to
11 respond to an emergency or call out within a specific time period.

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

15 14-284-227. Residency requirement.

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

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

22 (b) A residency requirement for a fire protection district may be
23 established by ordinance or resolution for firefighters or persons applying
24 to be a firefighter only if the fire protection district:

25 (1) Uses full-time, paid firefighters and volunteer
26 firefighters;

27 (2) Is a volunteer fire department; or

28 (3) Uses part-time paid firefighters and firefighters who are
29 paid an appearance fee.

30 (c) A residency requirement that is enacted under subsection (b) of
31 this section shall not affect the residency or employment status of a
32 firefighter who is employed with the fire protection district at the time the
33 residency requirement is adopted.

34 (d) For the purpose of hiring, a fire protection district may give
35 preference to a person applying to be a firefighter who is a resident of the
36 state, a county adjacent to the county in which the fire protection district

1 is located, or the county in which the fire protection district is located.

2 (e) This section does not affect a fire protection district's policies
3 concerning:

4 (1) The use of a vehicle owned by the fire protection district
5 by a firefighter who is not on duty; or

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

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10 /s/Andrews
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