

Stricken language would be deleted from and underlined language would be added to present law.

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

As Engrossed: H2/14/23

A Bill

HOUSE BILL 1257

5 By: Representatives Achor, L. Johnson, Vaught, Wardlaw, Tosh
6 By: Senators K. Hammer, Stone
7

For An Act To Be Entitled

9 AN ACT TO EXPAND ELIGIBILITY FOR COVERAGE UNDER THE
10 STATE AND PUBLIC SCHOOL LIFE AND HEALTH INSURANCE
11 PROGRAM TO CERTAIN MUNICIPAL AND COUNTY POLICE
12 OFFICERS; TO AMEND ELIGIBILITY REQUIREMENTS OF
13 CERTAIN RETIREES UNDER THE STATE AND PUBLIC SCHOOL
14 LIFE AND HEALTH INSURANCE PROGRAM; AND FOR OTHER
15 PURPOSES.
16
17

Subtitle

18 TO EXPAND ELIGIBILITY FOR COVERAGE UNDER
19 THE STATE AND PUBLIC SCHOOL LIFE AND
20 HEALTH INSURANCE PROGRAM TO CERTAIN
21 MUNICIPAL AND COUNTY POLICE OFFICERS; AND
22 TO AMEND ELIGIBILITY REQUIREMENTS OF
23 CERTAIN RETIREES.
24
25
26

27 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
28

29 *SECTION 1. Arkansas Code § 21-5-407(4)(A), concerning the definition*
30 *of "dependent" used under the State and Public School Life and Health*
31 *Insurance Program, is amended to read as follows:*

32 (4)(A) *"Dependent" means a participant's or an eligible police*
33 *officer retiree's:*

34 (i) *Natural child, stepchild, or adopted child who*
35 *is eligible for coverage under the State and Public School Life and Health*
36 *Insurance Program; and*



1 (ii) Spouse who is eligible for coverage under the
2 program.

3
4 SECTION 2. Arkansas Code § 21-5-407, concerning definitions used under
5 the State and Public School Life and Health Insurance Program, is amended to
6 add additional subdivisions to read as follows:

7 (20) "County" means any county in this state;

8 (21) "Eligible police officer retiree" means a police officer
9 who is:

10 (A) Employed as a police officer;

11 (B)(i) Eligible to retire with full retirement benefits
12 under:

13 (a) The Arkansas Local Police and Fire Retirement
14 System under § 24-10-101 et seq.;

15 (b) Any municipal or county retirement benefit
16 system or plan for employees;

17 (c) Any local policemen's pension and relief fund
18 under § 24-11-101 et seq.; or

19 (d) The Arkansas Public Employees' Retirement System
20 under § 24-4-101 et seq.

21 (ii) As used in this subdivision (21)(B), "eligible
22 to retire with full retirement benefits" means a police officer who is:

23 (a) Any age with twenty-eight (28) years of
24 credited service;

25 (b) At least fifty-five (55) years of age and
26 has at least twenty (20) years of credited service;

27 (c) At least sixty (60) years of age and has
28 at least five (5) years of credited service; or

29 (d) At least sixty (60) years of age and has
30 at least ten (10) years of actual Arkansas Local Police and Fire Retirement
31 System service credit; and

32 (C) Is not eligible for Medicare enrollment;

33 (22) "Municipality" means:

34 (A) A city of the first class;

35 (B) A city of the second class; or

36 (C) An incorporated town; and

1 (23) "Police officer" means:

2 (A) Any law enforcement officer engaged in official duty
3 who is a member of any regular or auxiliary police force of a municipality or
4 county on a full-time or part-time basis;

5 (B) A sheriff or deputy sheriff of a county who is engaged
6 in official duty; or

7 (C) A constable or night marshal of a municipality engaged
8 in official duty.

9
10 *SECTION 3. Arkansas Code § 21-5-410(a), concerning eligibility of*
11 *individuals to participate in the State and Public School Life and Health*
12 *Insurance Program, is amended to add an additional subdivision to read as*
13 *follows:*

14 (6) A dependent or spouse of an eligible police officer retiree
15 through the state employee insurance plan.

16
17 *SECTION 4. Arkansas Code § 21-5-411(a)(1), concerning the eligibility*
18 *of state employee retirees and public school retirees under the State and*
19 *Public School Life and Health Insurance Program, is amended to read as*
20 *follows:*

21 (a)(1) ~~State~~ Except as provided in subsection (f) of this section,
22 state employee retirees and public school employee retirees are qualified to
23 enroll in the State and Public School Life and Health Insurance Program as
24 retirees if they:

25 (A) Have participated in the program for at least five (5)
26 cumulative years before retirement as participating members of:

27 (i) The Arkansas Public Employees' Retirement
28 System, including the members of the legislative division and the contract
29 personnel of the Arkansas National Guard;

30 (ii) The Arkansas Teacher Retirement System;

31 (iii) The Arkansas State Highway Employees'
32 Retirement System;

33 (iv) The Arkansas Judicial Retirement System; or

34 (v) An alternate retirement plan of a qualifying
35 institution under § 24-7-801; and

36 (B) Are retired and drawing benefits under one (1) or more

1 of the retirement systems listed under subdivision (a)(1)(A) of this section.

2
3 SECTION 5. Arkansas Code § 21-5-411, concerning the eligibility of
4 certain retirees under the State and Public School Life and Health Insurance
5 Program, is amended to add an additional subsection to read as follows:

6 (f)(1)(A) An eligible police officer retiree may elect to enroll in
7 the program.

8 (B) The eligible police officer retiree is eligible under
9 subdivision (f)(1)(A) of this section until the eligible police officer
10 retiree is a Medicare-eligible person.

11 (2) An eligible police officer retiree may elect to participate
12 in the program and shall have a guaranteed issue period of sixty (60)
13 calendar days from the date of retirement to enroll in the program.

14 (3) An eligible police officer retiree who elects to participate
15 in the program shall pay a premium as determined by the board or the cost of
16 the policy issued to the eligible police officer retiree.

17 (4) The eligible police officer retiree portion of the premium
18 shall be deducted from a bank account of the eligible police officer retiree
19 participant, to be paid by a monthly bank draft on the date designated by the
20 division.

21 (5) An eligible police officer retiree is not required to have
22 participated in the program for five (5) years before retirement to be
23 eligible to participate in the program.

24 (6) An eligible police officer retiree shall not be charged a
25 surcharge or assessment to enroll in the program.

26 (7)(A) If an eligible police officer retiree dies and has
27 covered dependents at the time of death, the dependents have the right to
28 continue participation in the program through the state employee insurance
29 plan.

30 (B) Dependent children of a deceased eligible police
31 officer retiree may continue to participate in the program until marriage or
32 until the maximum age limit for a dependent child has been reached.

33 (C) A surviving spouse of a deceased eligible police
34 officer retiree may continue participation in the program.

35 (D) If a surviving spouse or dependent of a deceased
36 eligible police officer retiree declines participation in the program or

1 cancels existing participation, then the surviving spouse or dependent has no
2 further privileges under the program.

3
4 SECTION 6. DO NOT CODIFY. RETROACTIVITY. An eligible police officer
5 who retired between January 1, 2017, and the effective date of this act shall
6 have a guaranteed issue period of ninety (90) days.

7
8 /s/Achor

9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36