

1 State of Arkansas As Engrossed: H2/14/23 S4/4/23

2 94th General Assembly

# A Bill

3 Regular Session, 2023

HOUSE BILL 1257

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5 By: Representatives Achor, L. Johnson, Vaught, Wardlaw, Tosh

6 By: Senators K. Hammer, Stone

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## For An Act To Be Entitled

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*AN ACT TO EXPAND HEALTH BENEFIT COVERAGE FOR CERTAIN*

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*POLICE OFFICER RETIREES OF MUNICIPALITIES AND*

11

*COUNTIES; AND FOR OTHER PURPOSES.*

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## Subtitle

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*TO EXPAND HEALTH BENEFIT COVERAGE FOR*

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*CERTAIN POLICE OFFICER RETIREES OF*

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*MUNICIPALITIES AND COUNTIES.*

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

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22 *SECTION 1. Arkansas Code Title 14, Chapter 1, Subchapter 1, is amended*

23 *to add an additional section to read as follows:*

24 *14-1-108. Coverage for eligible police officer retirees.*

25 *(a) As used in this section:*

26 *(1) "County" means any county in this state;*

27 *(2) "Dependent" means a participant or an eligible police*

28 *officer retiree's:*

29 *(A) Natural child, stepchild, or adopted child who is*  
30 *eligible for coverage under a plan of an eligible police officer retiree; and*

31 *(B) Spouse who is eligible for coverage under a plan of an*  
32 *eligible police officer retiree;*

33 *(3) "Eligible police officer retiree" means a police officer who*  
34 *is:*

35 *(A) Employed as a police officer;*

36 *(B)(i) Eligible to retire with full retirement benefits*



1 under:

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

4 (b) Any municipal or county retirement benefit  
5 system or plan for employees;

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

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

10 (ii) As used in this subdivision (3)(B), "eligible  
11 to retire with full retirement benefits" means a police officer who is:

12 (a) Any age with twenty-eight (28) years of  
13 credited service;

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

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

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

21 (C) Not eligible for Medicare enrollment;

22 (4) "Health benefit plan" means a plan for health benefits  
23 offered by a municipality or county;

24 (5) "Municipality" means:

25 (A) A city of the first class;

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

27 (C) An incorporated town; and

28 (6) "Police officer" means:

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

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

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

36 (b)(1)(A) An eligible police officer retiree may elect to participate

1 in a health benefit plan after retirement.

2 (B) The eligible police officer retiree is eligible under  
3 subdivision (b)(1)(A) of this section until the eligible police officer  
4 retiree is a Medicare-eligible person.

5 (C)(i) An eligible police officer retiree shall have a  
6 guaranteed issue period of sixty (60) calendar days from the date of  
7 retirement to enroll in the health benefit plan.

8 (ii) If the eligible police officer retiree does not  
9 elect to participate or declines to participate in the health benefit plan  
10 upon the expiration of sixty (60) calendar days under subdivision  
11 (b)(1)(C)(i) of this section, the eligible police officer retiree has no  
12 further privileges under the health benefit plan.

13 (2) An eligible police officer retiree who elects to participate  
14 in the health benefit plan shall pay a premium as determined by the  
15 municipality or county or the cost of the policy issued to the eligible  
16 police officer retiree.

17 (3) 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 municipality or county.

21 (c) A dependent of an eligible police officer retiree is eligible to  
22 participate in the health benefit plan.

23 (d) An eligible police officer retiree shall not be charged a  
24 surcharge or assessment to enroll in the health benefit plan.

25 (e)(1) If an eligible police officer retiree dies and has covered  
26 dependents at the time of death, the dependents have the right to continue to  
27 participate in the health benefit plan through the municipality or county.

28 (2) Dependent children of a deceased eligible police officer  
29 retiree may continue to participate in the health benefit plan until marriage  
30 or until the maximum age limit for a dependent child has been reached.

31 (3) A surviving spouse of a deceased eligible police officer  
32 retiree may continue to participate in the health benefit plan.

33 (4) If a surviving spouse or dependent of a deceased eligible  
34 police officer declines to participate in the health benefit plan or cancels  
35 existing participation, then the surviving spouse or dependent has no further  
36 privileges under the health benefit plan.

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*SECTION 2. DO NOT CODIFY. RETROACTIVITY. An eligible police officer retiree who retired between January 1, 2017, and the effective date of this act shall have a guaranteed issue period of ninety (90) days.*

*/s/Achor*