

1 State of Arkansas
2 95th General Assembly
3 Regular Session, 2025
4

As Engrossed: H2/26/25

A Bill

HOUSE BILL 1322

5 By: Representative Clowney
6 By: Senator C. Tucker
7

For An Act To Be Entitled

9 AN ACT TO AMEND THE LAWS UNDER THE ARKANSAS LOCAL
10 POLICE AND FIRE RETIREMENT SYSTEM CONCERNING LINE-OF-
11 DUTY DEATH FROM OCCUPATIONAL CANCER; TO DECLARE AN
12 EMERGENCY; AND FOR OTHER PURPOSES.
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Subtitle

15 TO AMEND THE LAWS UNDER THE ARKANSAS
16 LOCAL POLICE AND FIRE RETIREMENT SYSTEM
17 CONCERNING LINE-OF-DUTY DEATH FROM
18 OCCUPATIONAL CANCER; AND TO DECLARE AN
19 EMERGENCY.
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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 § 24-10-608(b)(1), concerning the death of an
25 active member of the Arkansas Local Police and Fire Retirement System before
26 retirement as a result of personal injury or disease that arose in the
27 performance of his or her duty as an employee, is amended to read as follows:

28 (b)(1)(A) If an active member dies in employer-paid service before
29 retirement as a result of a personal injury or disease which the Board of
30 Trustees of the Arkansas Local Police and Fire Retirement System finds to
31 have arisen out of and in the course of his or her actual performance of duty
32 as an employee, the applicable benefits provided in this subsection and
33 subsections (c)-(e) of this section shall be paid, subject to § 24-10-610.

34 (B) As used in this subdivision (b)(1):

35 (i) "Disease" includes without limitation a cancer
36 that an active member was diagnosed with while he or she was in the line of



1 duty; and

2 (ii) "Cancer" means:

3 (a) Leukemia, lymphoma, mesothelioma, or
4 multiple myeloma;

5 (b) Cancer of the brain, urinary tract, liver,
6 skin, breast, cervix, thyroid, prostate, testicle, colon, or digestive tract;
7 or

8 (c) A cancer that has been found by research
9 and statistics to show higher instances of occurrence in firefighters than in
10 the general population, as determined by the Department of Health and with
11 consideration to the findings of the International Agency for Research on
12 Cancer, if the firefighter was:

13 (1) Exposed to a known carcinogen while
14 in the course of his or her actual performance of duty as an employee; and

15 (2) Diagnosed with the cancer under this
16 subdivision (b)(1)(B)(i)(c) while in the line of duty.

17 (C) A finding that an active member was diagnosed with
18 cancer while he or she was in the line of duty may be rebutted by a
19 preponderance of the evidence.

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21 SECTION 2. DO NOT CODIFY. SPECIAL LANGUAGE.

22 A spouse annuity with an effective date after November 1, 2019, and
23 before March 1, 2020, payable under § 24-10-608(b)(1)(A) due to cancer as
24 defined under § 24-10-608(b)(1)(B)(ii), shall have the annuity adjusted to
25 the greater of twenty-five (25) years of credited service or an amount equal
26 to the annuity for each year of credited service resulting from employment as
27 provided under § 24-10-602.

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29 SECTION 3. DO NOT CODIFY. Legislative intent.

30 (a) It is the intent of the General Assembly for this act to have a
31 retroactive effect as to the active members covered by Section 2 of this act.

32 (b) It is not the intent of the General Assembly for this act to
33 require the Arkansas Local Police and Fire Retirement System to pay any
34 retroactive benefits.

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36 SECTION 4. EMERGENCY CLAUSE. It is found and determined by the

1 General Assembly of the State of Arkansas that the provisions of the Arkansas
2 Local Police and Fire Retirement System related to line-of-duty death due to
3 occupational cancer are in need of urgent revision to provide fair and just
4 treatment to members and the beneficiaries of members who have died in the
5 line of duty as a result of cancer that occurred as a result of those
6 members' occupation; and that an effective date of July 1, 2025, is necessary
7 in order to allow time to allow for a structured and proper administration
8 and to send educational notices to covered employers of the procedures
9 referenced in this act. Therefore, an emergency is declared to exist, and
10 this act being necessary for the preservation of the public peace, health,
11 and safety shall become effective on July 1, 2025.

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13 /s/Clowney

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16 **APPROVED: 3/25/25**
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