

1 State of Arkansas
2 90th General Assembly
3 Regular Session, 2015
4

As Engrossed: H2/26/15
A Bill

HOUSE BILL 1401

5 By: Representatives Love, C. Armstrong, Baltz, K. Ferguson, Leding, Nicks, Payton, B. Smith, Speaks,
6 Sullivan, Tosh, Walker
7

8 **For An Act To Be Entitled**

9 AN ACT TO AMEND THE LAW CONCERNING DEATH BENEFITS FOR
10 CERTAIN PUBLIC EMPLOYEES; AND FOR OTHER PURPOSES.
11

12
13 **Subtitle**

14 TO AMEND THE LAW CONCERNING DEATH
15 BENEFITS FOR CERTAIN PUBLIC EMPLOYEES.
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18 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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20 SECTION 1. Arkansas Code § 21-5-701 is amended to read as follows:

21 21-5-701. Definitions.

22 As used in this subchapter:

23 (1) "Child" or "children" means any natural child, adopted
24 child, or stepchild who is eligible under § 21-5-707;

25 (2) "Coroner" means a coroner or a deputy coroner who is engaged
26 in official duty at a crime scene or death location;

27 ~~(3)~~(3) "Covered public employee" means a a police officer,
28 firefighter, state highway employee, state correction employee, Department of
29 Community Correction employee, jailer, qualified emergency services worker,
30 wildlife enforcement officer, emergency medical technician, Arkansas Forestry
31 Commission employee, commissioned law enforcement personnel, or emergency
32 response personnel of the State Parks Division of the Department of Parks and
33 Tourism;

34 ~~(4)~~(4) "Department of Community Correction employee" means any
35 employee of the Department of Community Correction who ~~becomes~~ is subject to
36 injury through contact with parolees, probationers, or center residents;



1 ~~(4)~~(5) “Emergency medical technician” means emergency medical
2 ~~technicians~~ services personnel as defined in § 20-13-202;

3 ~~(5)~~(6) “Firefighter” means any member of a fire department or
4 fire fighting unit of any city of the first class or city of the second
5 class, or any town, or any unincorporated rural area of this state, who
6 actively engages in the fighting of fires on either a regular or voluntary
7 basis, or any instructor of the Arkansas Fire Training Academy, or any member
8 of the fire fighting organization of the ~~Camp Robinson Military Reservation~~
9 ~~or of Fort Chaffee~~ Arkansas National Guard Robinson Maneuver Training Center
10 or of the Arkansas National Guard Fort Chaffee Maneuver Training Center;

11 (7) “Jailer” means an employee of a city, town, or county who,
12 while engaged in official duty as a detention or transport officer, is
13 subject to injury through contact with inmates, detainees, parolees, or
14 probationers;

15 ~~(6)~~(8) “Police officer” means:

16 (A) Any law enforcement officer engaged in official duty
17 who is a member of any regular or auxiliary police force on a full-time or
18 part-time basis, the Department of Arkansas State Police, or any member of
19 the law enforcement organization of ~~Camp Robinson or of Fort Chaffee~~ the
20 Arkansas National Guard Robinson Maneuver Training Center or of the Arkansas
21 National Guard Fort Chaffee Maneuver Training Center;

22 (B) A sheriff or deputy sheriff of ~~any~~ a county who is
23 engaged in official duty; or

24 (C) ~~Any~~ A constable or night marshal of ~~any~~ a town of this
25 state engaged in official duty;

26 ~~(7)~~(9) “Qualified emergency services worker” means a state,
27 local, volunteer, and other emergency ~~services workers~~ responder as defined
28 in § 12-75-103;

29 ~~(8)~~(10) “State correction employee” means ~~any~~ a employee of the
30 Department of Correction or the ~~Department of Correction School District~~
31 Corrections School System who ~~becomes~~ is subject to injury through contact
32 with inmates or parolees of the Department of Correction;

33 ~~(9)~~(11) “State highway employee” means an employee of the
34 Arkansas State Highway and Transportation Department who is physically
35 present on a roadway, bridge, or right-of-way of the state highway system or
36 other public transportation facility and who is:

1 (A) Actively engaged in highway maintenance, construction,
2 traffic operations, or the official duties of his or her employment; or

3 (B) Supervising, reviewing, evaluating, inspecting highway
4 maintenance, construction, or traffic operations; and

5 ~~(10)~~(12) "Wildlife enforcement officer" means ~~any~~ an employee of
6 the Arkansas State Game and Fish Commission who actively engages, on a full-
7 time or part-time basis, in the enforcement of the boating safety laws and
8 regulations enacted for the protection of game, fish, furbearing animals, and
9 other wildlife of the State of Arkansas.

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11 SECTION 2. Arkansas Code § 21-5-705(a)(1), concerning state payments
12 of claims to designated beneficiaries or survivors, is amended to read as
13 follows:

14 (1) Police officer, wildlife enforcement officer ~~of the Arkansas~~
15 ~~State Game and Fish Commission~~, commissioned law enforcement officer or
16 emergency response employee of the State Parks Division of the Department of
17 Parks and Tourism, Department of Community Correction employee, ~~or~~ employee
18 of the Department of Correction, jailer, or coroner whose death occurred:

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20 /s/Love

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23 **APPROVED: 04/04/2015**
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