

State of Arkansas  
76th General Assembly  
Regular Session, 1987  
By: Senator Scott

SENATE BILL 81

"AN ACT TO AMEND SECTION 1 OF ACT 866 OF 1985 [ARK. STAT. 81-1364], TO REQUIRE ALL MUNICIPALITIES AND COUNTIES TO PROVIDE WORKERS' COMPENSATION COVERAGE FOR ALL VOLUNTEER FIRE DEPARTMENTS WITHIN THEIR BOUNDARIES AND TO ESTABLISH THEIR BENEFITS; AND FOR OTHER PURPOSES."

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

SECTION 1. Section 1 of Act 866 of 1985, the same being Arkansas Statutes Section 81-1364, is hereby amended to read as follows:

"Section 1. (A) All municipalities and counties shall be required to provide workers' compensation coverage for their officials, employees and volunteer firemen within their boundaries. Coverages shall be provided for losses incurred while performing work for the municipality or county or while performing fire fighting duties as a volunteer fireman in the course of an actual fire fighting situation or in fire fighting training.

(B) Volunteer firefighters shall be eligible for workers' compensation benefits for personal injury or death while actually engaged in emergency fire fighting service duties or while in training for emergency fire fighting service duties. For the purpose of workers' compensation coverage in cases of injury to or death of an individual, volunteer firefighters shall be deemed municipal or county employees and shall receive compensation and their survivors shall receive death benefits in like manner as regular employees or their survivors of municipal or county governments are eligible. The weekly compensation benefits for injury, disability or death for volunteer firefighters who receive no monetary compensation for services rendered as such workers shall be computed on the basis of the State average weekly wage for the preceding calendar year as annually determined by the Director of the Department of Labor pursuant to subsection (b) of Section 3 of Act 391 of 1941

as amended, Arkansas Statutes 81-1104(b). The governing body of each municipality and county may establish by local ordinance reasonable minimum qualifications or standards for volunteer fire departments and their firefighters to be eligible for coverage under the local government's workers' compensation coverage. This Act shall not be construed to entitle the volunteer firefighters to any benefits from any municipality or county other than workers' compensation benefits."

SECTION 2. All laws and parts of laws in conflict with this Act are hereby repealed.

SECTION 3. If any provision of this Act or the application thereof to any person is held invalid, such invalidity shall not affect other provisions or applications of this Act which can be given effect without the invalid provision or application, and to this end the provisions of this Act are declared to be severable.

