

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

A Bill

HOUSE BILL 1293

4
5 By: Representative Andrews
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7

For An Act To Be Entitled

8
9 AN ACT TO AMEND THE LAW CONCERNING DEATH BENEFITS FOR
10 CERTAIN PUBLIC EMPLOYEES KILLED IN THE LINE OF DUTY;
11 TO INCREASE THE PAYMENT OF A CLAIM TO DESIGNATED
12 BENEFICIARIES OR SURVIVORS OF CERTAIN PUBLIC
13 EMPLOYEES KILLED IN THE LINE OF DUTY; AND FOR OTHER
14 PURPOSES.
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Subtitle

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18 TO INCREASE THE PAYMENT OF A CLAIM TO
19 DESIGNATED BENEFICIARIES OR SURVIVORS OF
20 CERTAIN PUBLIC EMPLOYEES KILLED IN THE
21 LINE OF DUTY.
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23 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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25 SECTION 1. Arkansas Code § 21-5-705(a), concerning payment of a claim
26 to designated beneficiaries or survivors of certain specified public
27 employees killed in the line of duty, is amended to read as follows:

28 (a) The state shall pay the additional sum of ~~one hundred fifty~~
29 ~~thousand dollars (\$150,000)~~ two hundred fifty thousand dollars (\$250,000) to
30 the qualified recipient or recipients of a:

31 (1) Police officer, wildlife enforcement officer or game warden,
32 commissioned law enforcement officer or emergency response employee of the
33 Department of Parks, Heritage, and Tourism, Division of Community Correction
34 employee, employee of the Division of Correction, jailer, or coroner whose
35 death occurred:

36 (A) After January 1, 2003; and



1 (B) Either:

2 (i) In the official line of duty as the result of a
3 criminal or negligent action of another person or persons or as the result of
4 the engagement in exceptionally hazardous duty; or

5 (ii) In the line of duty while the officer or
6 employee was performing emergency medical activities;

7 (2) Firefighter, emergency medical technician, or employee of
8 the Arkansas Forestry Commission killed after July 1, 1987, while responding
9 to, engaging in, or returning from a fire, a rescue incident, a hazardous
10 material or bomb incident, an emergency medical activity, or simulated
11 training thereof; and

12 (3)(A)(i) Firefighter killed in the line of duty after January
13 1, 2012, including death from leukemia, lymphoma, mesothelioma, and multiple
14 myeloma and cancer of the brain, digestive tract, urinary tract, liver, skin,
15 breast, cervix, thyroid, prostate, testicle, or a cancer that has been found
16 by research and statistics to show higher instances of occurrence in
17 firefighters than in the general population, if he or she was exposed to a
18 known carcinogen as determined by the Department of Health with consideration
19 to the findings of the International Agency for Research on Cancer while in
20 the official line of duty.

21 (ii) Subdivision (a)(3)(A)(i) of this section does
22 not include a firefighter who was diagnosed with cancer prior to the start of
23 firefighter service.

24 (B) A death benefit under subdivision (a)(3)(A) of this
25 section shall be limited to:

26 (i) A maximum of ~~one hundred fifty thousand dollars~~
27 ~~(\$150,000)~~ two hundred fifty thousand dollars (\$250,000) per individual
28 death, including educational benefits provided in § 6-82-501 et seq.; and

29 (ii) A firefighter who is under sixty-eight (68)
30 years of age.

31 (C)(i) The Firefighter Benefit Review Panel is created for
32 the purpose of making recommendations to the Arkansas State Claims Commission
33 regarding determinations of death benefits under subdivision (a)(3)(A) of
34 this section for deaths associated with cancer.

35 (ii) The panel shall consist of the following seven
36 (7) individuals to be appointed by the Governor:

1 (a) One (1) licensed oncologist;
2 (b)(1) Two (2) firefighters paid by the state,
3 a county, or a municipality.

4 (2) One (1) firefighter under
5 subdivision (a)(3)(C)(ii)(b)(1) of this section shall be appointed from a
6 list of names submitted by the Arkansas Professional Fire Fighters
7 Association;

8 (c)(1) Two (2) volunteer firefighters.

9 (2) One (1) firefighter under
10 subdivision (a)(3)(C)(ii)(c)(1) of this section shall be appointed from a
11 list of names submitted by the Arkansas State Firefighters Association, Inc.;

12 (d) One (1) fire chief who may be appointed
13 from a list of names submitted by the Arkansas Association of Fire Chiefs;
14 and

15 (e) One (1) citizen with experience in either
16 cancer and healthcare professions or firefighter relations.

17 (iii)(a) Panel members shall serve a term of four
18 (4) years.

19 (b) In the event of a vacancy in the
20 membership of the panel, the Governor shall appoint a person meeting the
21 applicable eligibility requirements of the vacated position to fill the
22 vacancy for the remainder of the unexpired term.

23 (iv)(a) The panel shall hold at least one (1)
24 regular meeting in each calendar year at a time and place determined by the
25 panel.

26 (b) Special meetings may be called at the
27 discretion of the chair selected under subdivision (a)(3)(C)(v) of this
28 section.

29 (v) The panel shall select a chair and vice chair
30 during the first annual meeting of each four-year term.

31 (vi) Four (4) members of the panel constitute a
32 quorum to transact business.

33 (vii) The members of the panel may receive expense
34 reimbursement in accordance with § 25-16-901 et seq.

35 (viii) The panel shall:

36 (a) Render advisory opinions and reports

1 concerning research and statistics that show higher instances of cancer among
 2 firefighters;

3 (b) Review claims for death benefits of
 4 firefighters who have died of cancer; and

5 (c) Make recommendations to the Arkansas State
 6 Claims Commission on death benefit awards under subdivision (a)(3)(A) of this
 7 section.

8 (D) This section:

9 (i) Does not apply to any other benefits granted by
 10 the state, a county, a city, or a municipality; and

11 (ii) Does not grant a cause of action against the
 12 state, a county, a city, or a municipality.

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14 SECTION 2. Arkansas Code § 21-5-705(c)(2)(A), concerning payment of a
 15 claim to designated beneficiaries or survivors of certain specified public
 16 employees killed in the line of duty, is amended to read as follows:

17 (2)(A) ~~Seventy-five thousand dollars (\$75,000)~~ One hundred
 18 twenty-five thousand dollars (\$125,000) of the ~~one hundred fifty thousand~~
 19 ~~dollars (\$150,000)~~ two hundred fifty thousand dollars (\$250,000) provided in
 20 subdivision (c)(1) of this section shall be paid by the appropriate state
 21 department agency fund account.

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