

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

A Bill

HOUSE BILL 1118

5 By: Representative Warren
6 By: Senator K. Hammer
7

For An Act To Be Entitled

9 AN ACT TO AMEND THE LAWS CONCERNING THE MANAGEMENT OF
10 PREMIUM TAXES UNDER THE ARKANSAS FIRE AND POLICE
11 PENSION REVIEW BOARD; TO DECLARE AN EMERGENCY; AND
12 FOR OTHER PURPOSES.
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Subtitle

15 TO AMEND THE LAWS CONCERNING THE
16 MANAGEMENT OF PREMIUM TAXES UNDER THE
17 ARKANSAS FIRE AND POLICE PENSION REVIEW
18 BOARD; AND TO DECLARE AN EMERGENCY.
19
20

21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
22

23 SECTION 1. Arkansas Code § 24-11-203(k), concerning certification of
24 funding recommended for disbursement of premium tax funds to underfunded
25 municipal fire and police relief and pension plans, is repealed.

26 ~~(k)(1) On or before June 15 of each fiscal year, the Arkansas Fire and~~
27 ~~Police Pension Review Board shall certify to the Chief Fiscal Officer of the~~
28 ~~State the amount of funding it recommends for disbursement in the ensuing~~
29 ~~fiscal year to underfunded municipal fire and police relief and pension plans~~
30 ~~as defined in § 24-11-217.~~

31 ~~(2) After receiving the certification required under subdivision~~
32 ~~(k)(1) of this section, the Chief Fiscal Officer of the State shall~~
33 ~~immediately transfer on his or her books and the books of the Treasurer of~~
34 ~~State the lesser of the total amount recommended by the Arkansas Fire and~~
35 ~~Police Pension Review Board or the amount appropriated by the General~~
36 ~~Assembly for the ensuing fiscal year from the Revenue Holding Fund Account to~~



1 ~~the Firemen's and Police Officers' Pension and Relief Fund for distribution~~
 2 ~~to the recommended underfunded plans.~~

3
 4 SECTION 2. Arkansas Code § 24-11-211(a), concerning the creation and
 5 administration of the Arkansas Policemen's Pension Supplement Program, is
 6 amended to read as follows:

7 (a)(1) There is created the Arkansas Policemen's Pension Supplement
 8 Program, to be administered by the ~~Arkansas Fire and Police Pension Review~~
 9 ~~Board~~ Department of Finance and Administration.

10
 11 SECTION 3. Arkansas Code § 24-11-211(b)(2)-(c)(2), concerning funding
 12 and administration of the Policemen's Pension Supplement Program Fund, are
 13 amended to read as follows:

14 (2) The Policemen's Pension Supplement Program Fund shall be
 15 funded by that portion of those unallocated premium taxes levied on insurers
 16 for the support of police retirement programs that is transferred to the
 17 control of the ~~board~~ department under § 24-11-215(c).

18 (c)(1) The ~~board~~ department shall administer the program and make the
 19 payments called for under the program, including formulating necessary rules,
 20 procedures, and forms.

21 (2) The ~~board~~ department may retain one percent (1%) of the
 22 funds transferred for administrative expenses of the program.

23
 24 SECTION 4. Arkansas Code § 24-11-211(f)-(g), concerning payments and
 25 certification of transfers related to the Policemen's Pension Supplement
 26 Program Fund, are amended to read as follows:

27 (f) ~~On or after July 1 of each fiscal year following the board's~~
 28 ~~payments required by subsection (e) of this section, the board shall pay to~~
 29 ~~the State Treasury the amounts transferred to the board under § 24-11-215(e)~~
 30 ~~that exceed the amounts the board is required to pay under the program.~~

31 ~~(g)~~(1) The program is effective July 1, 1999.

32 (2) The first payments may be made under the program beginning
 33 July 31, 1999, and the first transfer under § 24-11-215(c) shall occur on
 34 July 25, 1999, and on each July 25 thereafter.

35
 36 SECTION 5. Arkansas Code § 24-11-212(b), concerning the administration

1 of the Future Supplement Fund, is amended to read as follows:

2 (b) The Future Supplement Fund shall be administered by the ~~Arkansas~~
 3 ~~Fire and Police Pension Review Board~~ Department of Finance and
 4 Administration.

5
 6 SECTION 6. Arkansas Code § 24-11-212(f), concerning the use of
 7 allocations in previous years that were not distributed for the Future
 8 Supplement Fund, is amended to read as follows:

9 (f) The ~~Arkansas Fire and Police Pension Review Board~~ department may
 10 use an amount allocated in previous years that has not been distributed for
 11 the Future Supplement Fund to:

- 12 (1) Ensure the distribution of an amount listed in subdivision
- 13 (d)(1) of this section; and
- 14 (2) Help offset a reduction described in § 24-11-215.

15
 16 SECTION 7. Arkansas Code § 24-11-213(b), concerning the allocation of
 17 funds between the Firemen's and Police Officers' Pension and Relief Fund and
 18 the General Revenue Fund Account, is amended to read as follows:

19 (b) The allocation of funds between the Firemen's and Police Officers'
 20 Pension and Relief Fund and the General Revenue Fund Account under this
 21 section is subject to the following conditions:

22 (1) The ~~Arkansas Fire and Police Pension Review Board~~ Department
 23 of Finance and Administration shall review annually the distribution of funds
 24 to each qualified city, town, or fire protection district made in the
 25 previous calendar year before disbursing funds to an area qualified under §
 26 24-11-214; and

27 (2) The ~~board~~ department shall consider as part of the annual
 28 assessment of the allocation of the disbursement of funds under § 24-11-214:

29 (A) The certification of a new city, town, or fire
 30 protection district for participation in the Firemen's and Police Officers'
 31 Pension and Relief Fund; and

32 (B) A change in the legal description of a city, town, or
 33 fire protection district, which shall be reported to the ~~board~~ department
 34 annually by December 14.

35
 36 SECTION 8. Arkansas Code § 24-11-214(b)(2)(B), concerning the

1 actuarial cost for a calendar year to determine the amount of the premium tax
 2 revenues, is amended to read as follows:

3 (B) For a group that is covered by a local policemen’s
 4 pension and relief fund or a local firemen’s relief and pension fund, shall
 5 be the cost calculated by the actuary for the ~~Arkansas Fire and Police~~
 6 ~~Pension Review Board~~ Department of Finance and Administration for the
 7 preceding calendar year; and

8
 9 SECTION 9. Arkansas Code § 24-11-214(c), concerning the calculation of
 10 the amount of the premium tax revenues, is amended to read as follows:

11 (c) The amount of revenues to be directed to cities, towns, and fire
 12 protection districts shall equal the amount in the Firemen’s and Police
 13 Officers’ Pension and Relief Fund less the payment for the administrative and
 14 actuarial expenses of the ~~board~~ Arkansas Fire and Police Pension Review Board
 15 under subsection (i) of this section and under § 24-11-203.

16
 17 SECTION 10. Arkansas Code § 24-11-214(f)(2), concerning the timing of
 18 the certification by the Arkansas Fire and Police Pension Review Board, is
 19 amended to read as follows:

20 (2) On or before June 15 of each calendar year after ~~2002~~ 2025,
 21 ~~the board shall certify to~~ the Department of Finance and Administration shall
 22 certify the exact amount of tax revenues each city, town, or fire protection
 23 district is entitled to receive for the calendar year under this section.

24
 25 SECTION 11. Arkansas Code § 24-11-214(h)-(i), concerning fees and
 26 expenses for the administration of this section, is amended to read as
 27 follows:

28 (h)(1) There shall be no administrative fees charged to these entities
 29 by the ~~board~~ department upon qualification.

30 (2) The ~~board~~ department shall incur all administrative and
 31 actuarial costs associated with obtaining the information required under this
 32 section.

33 (i)(1) The ~~board~~ department shall establish a certain percentage of
 34 the insurance tax revenues to use to meet its proper actuarial expenses and
 35 administrative costs incurred in obtaining and evaluating the population
 36 information required under § 24-11-213, but in no event shall the ~~board~~

1 department be entitled to more than one percent (1%) of the Firemen's and
2 Police Officers' Pension and Relief Fund as defined in § 24-11-809(a)(2).

3 (2) This assessment shall be collected in addition to the
4 assessment provided in § 24-11-203.

5
6 SECTION 12. Arkansas Code § 24-11-214(1), concerning the promulgation
7 of rules for the implementation of this section, is amended to read as
8 follows:

9 (1) ~~The Arkansas Fire and Police Pension Review Board~~ department shall
10 promulgate rules that are necessary to implement this section.

11
12 SECTION 13. Arkansas Code § 24-11-215(c), concerning annual transfers
13 to the Arkansas Policemen's Pension Supplement Program, is amended to read as
14 follows:

15 (c) After transfers are made to cover funds distributed under
16 subsection (b) of this section and the portion of those premium taxes set
17 aside for transfer to the State Police Retirement Fund under § 24-6-209(b),
18 the Secretary of the Department of Finance and Administration is directed to
19 make annual transfers from the police portion of the revenues to the
20 Policemen's Pension Supplement Program Fund on or before ~~July 25, 1999, and~~
21 ~~each year thereafter as certified by the Arkansas Fire and Police Pension~~
22 ~~Review Board~~ on July 1 each year as the amount needed to pay the expenses of
23 and to make payments to the eligible retired police officers and survivors
24 under the Arkansas Policemen's Pension Supplement Program for the coming year
25 of the program.

26
27 SECTION 14. Arkansas Code § 24-11-217(c), concerning approval of
28 additional allocations to the policemen's pension and relief funds and
29 firemen's relief and pension funds, is amended to read as follows:

30 (c) The policemen's pension and relief funds and firemen's relief and
31 pension funds shall qualify for the additional allocation after ~~approval of~~
32 ~~the Arkansas Fire and Police Pension Review Board and after~~ meeting the
33 following criteria:

34 (1) The policemen's pension and relief fund or the firemen's
35 relief and pension fund is in compliance with all applicable laws and rules;

36 (2) The policemen's pension and relief fund or the firemen's

1 relief and pension fund shall receive employer contributions other than
 2 premium tax allocations that are at least eighty percent (80%) of the
 3 actuarial cost under § 24-11-214 during the calendar year before an
 4 allocation; and

5 (3)(A) A firemen’s relief and pension fund that provides
 6 benefits to volunteer members shall receive funding without meeting the
 7 employer contribution requirement described in subdivision (c)(2) of this
 8 section if the firemen’s relief and pension fund is:

9 (i) Less than fifty percent (50%) funded as of the
 10 most recent actuarial valuation; and

11 (ii) Administered by the Arkansas Local Police and
 12 Fire Retirement System.

13 (B) The funding under this subsection shall be eliminated
 14 to meet the criteria of § 24-11-215(e)(2)(A) notwithstanding the requirement
 15 of § 24-11-215(d).
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17 SECTION 15. EMERGENCY CLAUSE. It is found and determined by the
 18 General Assembly of the State of Arkansas that the management of premium
 19 taxes collected for the benefit of municipal firemen’s relief and pension
 20 funds and policemen’s pension and relief funds is in need of a change in
 21 administration from the Arkansas Fire and Police Pension Review Board to the
 22 Department of Finance and Administration for purposes of financial security
 23 and efficiency; and that it is necessary for this act to have an effective
 24 date of July 1, 2025, in order to allow for a structured and proper
 25 administration of the procedures referenced in this act. Therefore, an
 26 emergency is declared to exist, and this act being necessary for the
 27 preservation of the public peace, health, and safety shall become effective
 28 on July 1, 2025.
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