

Stricken language would be deleted from and underlined language would be added to present law.

State of Arkansas
95th General Assembly
Regular Session, 2025

As Engrossed: H2/26/25

A Bill

HOUSE BILL 1322

By: Representative Clowney

By: Senator C. Tucker

For An Act To Be Entitled

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

Subtitle

*TO AMEND THE LAWS UNDER THE ARKANSAS
LOCAL POLICE AND FIRE RETIREMENT SYSTEM
CONCERNING LINE-OF-DUTY DEATH FROM
OCCUPATIONAL CANCER; AND TO DECLARE AN
EMERGENCY.*

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

SECTION 1. Arkansas Code § 24-10-608(b)(1), concerning the death of an active member of the Arkansas Local Police and Fire Retirement System before retirement as a result of personal injury or disease that arose in the performance of his or her duty as an employee, is amended to read as follows:

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

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

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



duty; and

(ii) "Cancer" means:

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

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

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

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

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

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

SECTION 2. DO NOT CODIFY. SPECIAL LANGUAGE.

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

SECTION 3. DO NOT CODIFY. Legislative intent.

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

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

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

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

/s/Clowney