



STATE OF ARKANSAS

DEATH BENEFITS

To obtain certified copies of registered personal documents, contact Vital Records, Department of Health, 4815 W. Markham Street, Little Rock, AR 72205, (501)661-2336.

STATE DEATH BENEFITS

PAYMENT OF CLAIMS TO CERTAIN INJURED WORKERS OR THEIR SURVIVORS

Section 21-5-704.

- A. The state shall pay to the spouse or surviving children of any police officer who is killed in official line of duty, **the sum of twenty-five thousand dollars** (\$25,000). **Contact: State Claims Commission, 101 E. Capitol Avenue, Suite #410, Little Rock, AR 72201-3823, phone (501) 682-1619.**
- B. In addition thereto, **the municipality** which employed the police officer shall, upon certification of the amount by the police department, pay to the spouse or surviving children of the deceased police officer an allowance for all sick leave, vacation, or other leave time accumulated to the credit of the police officer at the time of his/her death. **Contact your agency's Benefits Assistance Officer.**

PAYMENT OF CLAIM TO SURVIVORS OF CERTAIN OFFICERS KILLED ON DUTY- FUNDS

Section 21-5-705.

- A. The state shall pay to the spouse or surviving children of any police officer, whose death occurred in the official line of duty and was the result of a criminal act of another person or persons **the additional sum of seventy-five thousand dollars.** (\$75,000).
- B. The benefits shall be paid **totally from state funds** appropriated therefore.
- C. The additional benefits provided in this section shall be paid to the spouse or surviving children in **three (3) equal annual payments**, the first of which shall be paid in the month of July following the date of the original order of the State Claims Commission establishing entitlement to additional payments and annually thereafter.
- D. Determination for eligibility for the additional payments provided in this section shall be made by the **State Claims Commission** in accordance with commission rules and procedures. **See address above.**



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In the state of Arkansas and as used in this text, 21-5-701 “**Police Officer**” means:

- A. Any law enforcement officer, engaged in official duty, who is a member of any regular or auxiliary police force, on a full- or part-time basis, or the Arkansas State Police;
- B. A sheriff or deputy sheriff of any city of the first or second class who is engaged in official duty;
- C. Any constable or night marshal of any town of this state engaged in official duty.

STATE PENSION BENEFITS

State Police Retirement

If a member has **at least five (5) years credited service**, with credit for the year immediately preceding death, monthly benefits can be payable to his or her spouse, dependent children or dependent parents either immediately or at some future date. **Contact Arkansas State Police Commission, PO Box 5901, Little Rock, AR 72215.**

STATE EDUCATIONAL BENEFITS

State of Arkansas - Act 190 of 1989.

6-82-503. Entitlement.

- A. If any Arkansas law enforcement officer or full-time or volunteer fireman suffers fatal injuries or wounds or becomes permanently and totally disabled as the result of injuries or wounds which occurred in the performance of a hazardous duty within the scope of his employment or which occurred enroute to a location where a hazardous situation existed, **his children and spouse shall be entitled to an eight-semester (8) scholarship** without cost, exclusive of books, food, school supplies, materials and dues for fees for extracurricular activities at any state supported college or university of his choice within this state.
- B. Scholarship benefits shall not accrue under this subchapter to any person if the wounds or injuries suffered by any law enforcement officer are self-inflicted or whose death is self induced.

6-82-505. Limits for scholarship.

- A. No child will be entitled to receive benefits under this subchapter during any semester or quarter when the child has reached **the age of twenty-three (23) years** on or before the first day of the semester or quarter.
- B. No spouse will be eligible for the education benefit if he or she remarries. The benefit will cease at the end of the semester at which the spouse is currently enrolled at the time of the marriage.



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Scholarships are awarded by the State Claims Commission at the address above and administered by the Arkansas State Department of Higher Education, 114 E. Capitol Avenue, Little Rock, AR 72201.

HEALTH BENEFITS

Varied depending upon police department benefits. **Check with your agency's Benefits Assistance Officer.**

WORKERS' COMPENSATION

Workers' Compensation coverage is compulsory for employers in Arkansas; however, employers with fewer than 3 employees are exempt.

A spouse receives **35% of the employee's wage** and a spouse and child(ren) receive **66 2/3% of the employee's wage**, with a **minimum weekly benefit of \$20** and a **maximum weekly benefit of \$267**. There is also a **maximum burial allowance of \$6,000**.

Spouse receives a **2-year lump sum upon remarriage** and weekly benefits cease. Children receive benefits until age 18 or married. Children receive benefits beyond 18 if physically or mentally disabled, or until age 25 if full-time students.

To receive workers' compensation benefits, the surviving spouse **must take the initiative** and file a workers compensation claim through a workers' compensation attorney to receive any compensation.

Contact the Workers' Compensation Commission at 625 Marshall Street, Justice Building, Little Rock, AR 72201-1073, telephone (501) 682-3930.

PERSONAL LIFE POLICY - INTESTATE

"Heritable estate" is intestate's real and personal property after provision for dower, curtesy, homestead rights and statutory right and allowance of surviving spouse and minor children, refund on joint Federal income tax returns, and administration of estate, if any. (28-9-206). "Heritable estate" passes as follows (each class with living members taking to exclusion of subsequent classes to intestate's): **(1)** Surviving children and descendants of deceased children; **(2)** surviving spouse, but if married to intestate less than three years at death, surviving spouse takes only 50%, other 50% passing as if spouse had not survived in intestate; **(3)** surviving parents, sharing equally, or to sole surviving parent if only one living;



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(4) brothers and sisters and descendants of deceased brothers and sisters; (5) surviving grandparents, uncles, and aunts, and descendants of deceased uncles and aunts; (6) surviving great-grandparents, great uncles, and great aunts; (7) surviving spouse, even if married to intestate less than three years; (8) heirs of deceased spouse if marriage not ended by divorce; and (9) county wherein deceased resided at death. (28-9-214-215).

Where persons entitled to take are all of same degree of kindred to decedent they take per capita; otherwise they take per stirpes. (28-9-204)

Surviving Spouse - Where intestate leaves no descendants and has been continuously married not less than three years before death, surviving spouse takes all and if continuously married **less than three years before death**, then only 50%. (28-9-213).

JURISDICTION OF STATE CLAIMS COMMISSION

Section 21-5-702.

- A. The State Claims Commission is vested with exclusive jurisdiction to administer claims filed against the state under this subchapter.
- B. The State Claims Commission shall make a determination as to whether death was or was not in the official line of duty.

PEER SUPPORT ORGANIZATION

Established in 1984, **Concerns of Police Survivors, Inc., (COPS)**, is a national, non-profit organization that works with law enforcement agencies, police organizations, mental health professional, and local peer-support organizations to provide assistance to surviving families of law enforcement officers killed in the line of duty. COPS has become a “lifeline” to police survivors nationwide. **Contact the COPS National Office or visit www.nationalcops.org/chap.htm for information on a chapter in your area.**

Additional Benefits

Southern States Police Benevolent Association, Inc.

The PBA member’s beneficiary will receive their base salary for one if year they are killed accidentally or intentionally while performing their law enforcement duties (maximum payout: \$60,000). The beneficiary will receive \$5,000 if it is not an occupational death or if you are a retired or reserve member. Any active Southern States PBA member in good standing and dues current will receive this benefit. **Contact: Southern States Police**

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Benevolent Association, Inc., 1900 Brannan Road, McDonough, GA 30253-4310,
telephone 1-800-233-3506, or visit www.sspba.org.

