

# ARKANSAS REGISTER

## Transmittal Sheet

Use only for **FINAL** and **EMERGENCY RULES**



Secretary of State

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For Office

Use Only:

Effective Date \_\_\_\_\_ Code Number \_\_\_\_\_

Name of Agency \_\_\_\_\_

Department \_\_\_\_\_

Contact \_\_\_\_\_ E-mail \_\_\_\_\_ Phone \_\_\_\_\_

Statutory Authority for Promulgating Rules \_\_\_\_\_

Rule Title: \_\_\_\_\_

### Intended Effective Date

(Check One)

Date

☐

Emergency (ACA 25-15-204)

Legal Notice Published ..... \_\_\_\_\_

☐

10 Days After Filing (ACA 25-15-204)

Final Date for Public Comment ..... \_\_\_\_\_

☐

Other \_\_\_\_\_  
(Must be more than 10 days after filing date.)

Reviewed by Legislative Council ..... \_\_\_\_\_

Adopted by State Agency ..... \_\_\_\_\_

Electronic Copy of Rule e-mailed from: (Required under ACA 25-15-218)

Contact Person

E-mail Address

Date

## CERTIFICATION OF AUTHORIZED OFFICER

I Hereby Certify That The Attached Rules Were Adopted  
In Compliance with the Arkansas Administrative Act. (ACA 25-15-201 et. seq.)

Signature

Phone Number

E-mail Address

Title

Date



**ADMINISTRATIVE RULE**  
**STATE OF ARKANSAS**  
**BOARD OF CORRECTIONS**

**Section Number:**  
ADC 807/ACC 9.2

**Page Number:**  
1 of 2

**Board Approval Date:**  
TBD

**Supersedes:**  
New

**Dated:**  
TBD

**Reference:**  
A.C.A. § 12-27-150

**Effective Date:**  
TBD

SUBJECT: PAYMENT OF DEATH BENEFIT

**I. AUTHORITY:**

The authority to promulgate this rule is vested in Section 47 of Act 203 of 2022, Fiscal Session, found in special language, now codified at A.C.A. § 12-27-150.

**II. PURPOSE:**

To establish criteria for the payment of a death benefit from special revenues held by the Department of Corrections or its various divisions to any department Employee killed in the line of duty.

**III. APPLICABILITY:**

All Employees of the Department of Corrections.

**IV. DEFINITIONS:**

- A. Beneficiary: a designated recipient, other than the Employee, including the Employee's spouse or the surviving child of the Employee if there is no surviving spouse. If there is more than one (1) surviving child of the Employee, the death benefit will be split equally amongst all designated surviving children.
- B. Board: the Board of Corrections.
- C. Department: the Department of Corrections.
- D. Director: the executive head of a Division, Board, Commission, or Section of the Department; the Chief of Staff is designated as the executive head of Shared Services for purposes of this rule; and the Compliance Administrator is designated as the executive head of the Compliance Division for purposes of this rule.
- E. Employee: any person employed in a full-time or part-time capacity by the Department of Corrections, including any Division, Board or Commission of the Department.
- F. In the line of duty: refers to activities related to an Employee's official job responsibilities.
- G. Secretary: the Secretary of the Department of Corrections.

**V. POLICY:**

It shall be the policy of the Board of Corrections to provide a death benefit not to exceed five thousand dollars (\$5,000) for any Department Employee killed in the line of duty in accordance with guidelines set out in this Rule.

**VI. PROCEDURES:****A. Director Request:**

1. A Director may submit a request to the Secretary for consideration of payment of a death benefit for any Employee who loses his or her life in the line of duty.
2. If the Secretary determines that an Employee is eligible to receive payment of a death benefit, the Chief Financial Officer of the Department must certify availability of funds and determine the source of funding.
3. The Secretary will submit a request to the Board outlining the circumstances surrounding the request for payment of a death benefit, including the possible funding source if the request is granted.
4. The document submitted to the Board should contain sufficient information to advise the board how the loss of life was related to performance of official job responsibilities.

**B. Payment of Death Benefit:**

1. Upon approval by the Board of Corrections, the Chief Financial Officer of the Department shall cause to be issued a payment to the beneficiary of an Employee who lost his or her life in the line of duty.
2. The amount of payment shall be set by the Board of Corrections and shall not exceed five thousand dollars (\$5,000).

**VIII. IMPLEMENTATION:**

The Secretary of Corrections may issue directives to implement the guidance contained within this Rule.

**IIIX. A.C.A. REFERENCES:**

A.C.A. § 12-27-150