

ARKANSAS REGISTER

Transmittal Sheet

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Secretary of State

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For Office

Use Only:

Effective Date _____ Code Number _____

Name of Agency Division of Law Enforcement Standards and Training

Department Department of Public Safety

Contact Amanda Yarbrough E-mail amanda.yarbrough@arkansas.gov Phone 501-682-4750

Statutory Authority for Promulgating Rules ACT 224

Rule Title: Law Enforcement Stipend Program Rules

Intended Effective Date

(Check One)

☐ Emergency (ACA 25-15-204)

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

☐ Other _____
(Must be more than 10 days after filing date.)

Legal Notice Published

Final Date for Public Comment

Reviewed by Legislative Council

Adopted by State Agency

Date

May 29, 2022

June 27, 2022

August 25, 2022

August 25, 2022

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

Amanda Yarbrough

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August 29, 2022

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

501-682-4750

amanda.yarbrough@arkansas.gov

Phone Number

E-mail Address

Attorney

Title

08/29/2022

Date

LAW ENFORCEMENT STIPEND PROGRAM

Pursuant to the authority granted to the Division of Law Enforcement Standards and Training in Act 224 of 2022, the following rules are being promulgated to provide additional clarity related to the law enforcement stipend payment available to full-time law enforcement officers in the State of Arkansas and to establish a review process for officers that are denied payment of the stipend or are required to repay the stipend payment after receiving it.

(A) DEFINITIONS

(1) “Eligible local law enforcement agency” includes the following:

(a) An Arkansas County;

(i) “Arkansas County” means a Sheriff’s Office in the State of Arkansas, County Prosecutor’s Office in the State of Arkansas, or other agency that, unless otherwise excluded by law or rule, is funded by or through a county in Arkansas.

(b) Drug Task Force;

(c) Municipal Police Department; and

(i) Municipal Police Department means a city, town, locality, or political subdivision in the State of Arkansas.

(d) Any other agency specifically included in Act 224 of 2022.

(2) “Eligible local law enforcement agency” does not include the following:

(a) City, town, county, state or other court;

(b) Constable;

(c) County, regional, or city jail or correctional or detention center; or

(d) Any other agency specifically excluded by Act 224 of 2022.

(B) REVIEW PROCESS FOR DENIAL OF PAYMENT OF THE STIPEND

(1) If an officer is denied payment of the stipend following the Division of Law Enforcement Standards and Training’s (“Division”) determination that the officer failed to satisfy the requirements necessary to qualify for the stipend, the officer may make a request for reconsideration to the Division.

(a) Requests for reconsideration for denial of payment must be submitted on a form provided by the Division.

- (b) Requests for reconsideration for denial of payment must be submitted in writing to the Division of Law Enforcement Standards and Training, #4 State Police Plaza Drive, Little Rock, Arkansas 72209, on or before May 1, 2023 in order to be considered.
- (c) If the Division receives a request for reconsideration for denial of payment, the Division will prepare all relevant documents and information related to the denial and submit it, with the officer's request, to the Secretary of the Department of Public Safety.
- (d) The Secretary will review the request for reconsideration and all documents provided by the Division and make a determination.
 - (i) Officers are not entitled to a hearing or to present oral testimony related to their request for reconsideration for denial of payment.
- (e) The Secretary, or their designee, will provide a final determination to the officer in writing.
- (f) Determinations by the Secretary are final.

(C) REVIEW PROCESS FOR REQUIREMENT TO REPAY THE STIPEND AFTER RECEIVING PAYMENT.

- (1) If an officer is notified by the law enforcement agency that issued the stipend payment, the Division, or the Department of Finance and Administration, that the officer is required to return the salary stipend after receiving it, the officer may make a request for reconsideration to the Division.
 - (a) Requests for reconsideration for repayment of the stipend must be submitted on a form provided by the Division.
 - (b) Requests for reconsideration for repayment of the stipend must be submitted in writing to the Division of Law Enforcement Standards and Training, #4 State Police Plaza Drive, Little Rock, Arkansas 72209, within ten (10) calendar days of receiving notice in order to be considered.
 - (c) If the Division receives a request for reconsideration for repayment of the stipend, the Division will prepare all relevant documents and information related to the repayment requirement and submit it, with the officer's request, to the Secretary of the Department of Public Safety.
 - (d) The Secretary will review the request for reconsideration and all documents provided by the Division and make a determination.
 - (i) Officers are not entitled to a hearing or to present oral testimony related to their request for reconsideration.

(e) The Secretary, or their designee, will provide a final determination to the officer in writing.

(f) Determinations by the Secretary are final.