

**ORDINANCE NO. 2024- 10**

**AN ORDINANCE ESTABLISHING THE RESPECTIVE COST SHARING FOR MUNICIPAL HEALTH BENEFITS BETWEEN THE CITY OF LINCOLN AND CERTAIN POLICE DEPARTMENT RETIREES AND THEIR DEPENDENTS, AND FOR OTHER PURPOSES**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LINCOLN, ARKANSAS, THAT:**

Section One: Title. This Ordinance shall be known as an Ordinance Establishing the Respective Cost Sharing for Municipal Health Benefits between the City of Lincoln and Certain Police Department Retirees and Their Dependents, and for Other Purposes.

Section Two: Findings. The City Council finds that the Arkansas General Assembly adopted, and the Governor signed into law, Act 535 of 2023 (“Act 535”) amending certain provisions of ARK. CODE ANN. § 14-1-108, dealing with the eligibility of certain retirees from municipal police departments for health benefits after retirement but before Medicare eligibility age. For the relevant portions of this Ordinance, Act 535 mandates that an eligible police department retiree, or his or her eligible dependents, as defined by the Act, shall be entitled to enroll in the municipality’s health benefit program within sixty (60) days for the date of retirement. Act 535 further mandates that the retiree or dependent shall pay a premium as determined by the municipality or the cost of the policy issued to the retiree.

Section Four: Eligible Participants. Only those persons defined as eligible participants pursuant to Act 535 are entitled to cost sharing pursuant to this Ordinance.

Section Five: Cost Sharing Established. From and after the effective date of this Ordinance, or the date established by Act 535, whichever is more beneficial to the participant, the City shall charge to a person eligible to participate in the City’s health benefit plan in accordance with the following table. As used in this ordinance, “Years of Service to the City of Lincoln” shall be defined as the years, measured on the anniversary date of hire by the City of Lincoln, Arkansas, of service of the police officer to the City of Lincoln.

Years of Service	City's Share	Retiree's Share
Zero (0) to less than five (5)	0%	100%
At least five (5) to less than ten (10)	13%	87%
Ten (10) or more	25%	75%

Section Six: Effective Date. This Ordinance shall become effective from and after 91 days following its publication unless an Emergency Clause is appended.

Section Seven: Repealing Clause. Ordinances or parts thereof in effect at the time that this ordinance shall take effect that are in conflict herewith, are repealed.

Section Eight: Severability Clause. In the event any portion of this ordinance is declared inoperative or invalid as a result of a statute or judicial decision, then only that portion expressly so declared to be inoperative or invalid shall be affected thereby and all other provisions hereof shall remain in full force and effect.

PASSED AND APPROVED this 20<sup>th</sup> day of February, 2024.

APPROVED:



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Doug Hutchens, Mayor

ATTEST:



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Becky Carter, Clerk-Treasurer

