



Arkansas Army National Guard
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Benefits for Deploying Soldiers-Arkansas Law

The rights and benefits below are a summary of some of the ones provided under the laws of the State of Arkansas and are in addition to your rights under the applicable Federal laws.

a. **Options Regarding Tuition When a Student or a Student's Spouse is Called Into Military Service (A.C.A. §6-61-112)** A student, or a student's spouse, can get either a full refund or all tuition and general fees, receive at least a one (1) year extension after deactivation to complete the required course work, or receive free tuition for one (1) semester at the same institution where their attendance was interrupted, unless federal aid is available to offset any monetary loss.

b. **Options Regarding School Enrollment/Transfer of a Service Member's Dependent Children as a Result of Activation under the Interstate Compact on Educational Opportunity for Military Children (A.C.A. §6-4-301 et seq.)** If your dependent children have to change schools because of your deployment, then both the receiving school and the sending school MUST afford you certain rights to assist with the transition. These rights include, among others, with assistance in obtaining school records, immunization records, and placing your children in the same grade and the same or similar courses.

c. **Rights Regarding Modification of an Order for Child Custody or Visitation (A.C.A. §9-13-110)** A child custody and/or visitation Court Order cannot be permanently modified, except by agreement of the parties, because of a parent's activation and deployment. In other words, you cannot permanently lose your custody rights and/or visitation rights because of your service to your country. Additionally, if you are the noncustodial parent you may be able to get your visitation periods maximized right before, during, and immediately after deployment.

d. **Extensions for Renewing Certain Documents and/or Paying Certain Fees (A.C.A. §12-62-414)** A member of the National Guard or reserve component of the armed forces of the United States who is a resident of this state and who is ordered to active duty to a duty station located outside of this state shall be allowed an extension without penalty or assessment of a late fee for:

- (1) Renewing a state: License, Permit, Registration, Credential, or Certificate.
- (2) Paying state: Taxes, Fees, Assessments, or Tuition.

(3) The extension shall be effective for the period that the service member is serving on active duty at a duty station located outside of this state plus period of at least ninety (90) days and not more than one (1) year after the service member is released from active duty.

e. Dates Taxes Due and Payable on Real Estate and Personal Property (A.C.A. §26-36-201) No penalty shall be assessed against any taxpayer who is a member of the United States armed forces, reserve component of the armed forces, or the National Guard during the taxpayer's deployment plus one (1) tax year after the deployment ends.

f. Compensation of Employees of State Agencies and State-Supported Institutions – Emergency Activities (A.C.A. §21-5-1202) If you are a full-time employee of the State of Arkansas or a state supported institution, you may be eligible for continued proportionate salary payments which, when combined with your active duty pay, incentives, and allowances, except for uniform and clothing allowances, are equal to the amount that you would have otherwise received but for your required active duty under the order of the President or the Governor. For example, if your salary from your civilian government employment is \$100.00 per month, and your monthly military income while deployed is \$80.00 per month, then you may be entitled to a \$20.00 per month payment from your civilian employment State agency or institution.

g. Additional Military Leave for Employees of State Agencies and State Supported Institutions (A.C.A. §21-4-212) If you are a full-time employee of the State of Arkansas or a state supported institution, you may be eligible for leave WITH pay for a period of thirty (30) days, and then eligible for leave WITHOUT pay for a period of up to ninety (90) days after you return from deployment. You are also entitled to certain rights upon your return to your civilian employment position.

h. Repayment and Interest of a State Nursing School Loan (A.C.A. §6-81-1411) No interest shall accrue nor any obligation to repay the principal sums of a state nursing school loan during any period of the time that the recipient involuntarily serves on active duty in the United States armed forces.

i. Free Hunting & Fishing Licenses for Residents on Active Military Duty (A.C.A. §15-42-123) If you are a resident of the State of Arkansas at the time of your activation, then you are entitled to a free hunting and fishing license.

j. Stay of Court Proceeding (A.C.A. §12-62-406) If you or your attorney representing you in a State court proceeding is called to active duty, the pending litigation can be stayed ("continued") starting fifteen (15) days preceding the period of active duty and for thirty (30) days following the period of active duty.

Please note that this list is not an exhaustive list of all the rights that you and your family may be entitled to under the laws of the State of Arkansas.

This handout is distributed by the Arkansas Office of the Staff Judge Advocate, Office of Legal Assistance, as a preventive law service. This document and other helpful information on similar personal legal affairs topics can be found on the office's website located at <https://www.us.army.mil/suite/page/695875>. For more information on this topic or to consult with a legal assistance attorney contact the Arkansas National Guard Office of Legal Assistance at 501-212-5040 to establish eligibility and appointment times.