

1 State of Arkansas
2 90th General Assembly
3 Regular Session, 2015
4

As Engrossed: H3/16/15 H3/24/15

A Bill

HOUSE BILL 1679

5 By: Representative Gates
6

For An Act To Be Entitled

8 AN ACT TO AMEND THE LAWS CONCERNING INDEPENDENT
9 CONTRACTORS; AND FOR OTHER PURPOSES.
10

Subtitle

11 TO AMEND THE LAWS CONCERNING INDEPENDENT
12 CONTRACTORS.
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17 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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19 *SECTION 1. Arkansas Code § 11-10-210, concerning the definition of*
20 *"employment" for the Department of Workforce Services law, is amended to add*
21 *an additional subsection to read as follows:*

22 *(h)(1) Two (2) or more persons may agree in writing that a party to*
23 *the writing is an independent contractor with regard to services performed*
24 *for another party.*

25 *(2) A written agreement under subdivision (h)(1) of this section*
26 *may be filed with the Department of Workforce Services.*

27 *(3) In the absence of coercion or fraud either in the agreement*
28 *under subdivision (h)(1) of this section or in the filing of the agreement*
29 *under subdivision (h)(2) of this section, the written agreement is evidence*
30 *that the party identified as an independent contractor in the written*
31 *agreement is an independent contractor under this chapter.*

32 *(4) The absence of a written agreement under this subsection*
33 *does not imply that an independent contractor relationship does not exist*
34 *between two (2) or more persons.*
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36 /s/Gates

