

1 State of Arkansas
2 92nd General Assembly
3 Regular Session, 2019
4

A Bill

SENATE BILL 115

5 By: Senator B. Ballinger
6 By: Representative Cavanaugh
7

For An Act To Be Entitled

9 AN ACT TO AMEND THE MINIMUM WAGE ACT OF THE STATE OF
10 ARKANSAS; TO PROVIDE AN EXCEPTION TO THE DEFINITION
11 OF "EMPLOYEE"; TO PROVIDE EXCEPTIONS TO THE
12 DEFINITION OF "EMPLOYER"; TO PROVIDE EXCEPTIONS TO
13 THE MINIMUM WAGE ACT OF THE STATE OF ARKANSAS
14 IMPACTING THE LAW RESULTING FROM INITIATED ACT 5 OF
15 2018; AND FOR OTHER PURPOSES.
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Subtitle

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19 TO PROVIDE EXCEPTIONS TO THE MINIMUM WAGE
20 LAW FOR INDIVIDUALS UNDER EIGHTEEN,
21 EDUCATIONAL INSTITUTIONS, EMPLOYERS WITH
22 FEWER THAN FIFTY EMPLOYEES, AND NONPROFIT
23 ORGANIZATIONS AND TO AMEND THE LAW
24 IMPACTING INITIATED ACT 5 OF 2018.
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27 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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29 SECTION 1. Arkansas Code § 11-4-203(3), concerning exclusions from the
30 definition of "employee" under the Minimum Wage Act of the State of Arkansas,
31 is amended to add an additional subdivision to read as follows:

32 (S) An individual under eighteen (18) years of age.
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34 SECTION 2. Arkansas Code § 11-4-203(4)(B), concerning the definition
35 of "employer" under the Minimum Wage Act of the State of Arkansas, is amended
36 to read as follows:



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(B) "Employer" ~~shall~~ does not include ~~any~~:

(i) An individual, partnership, association, corporation, business trust, or any person or group of persons acting directly or indirectly in the interest of an employer in relation to an employee for any work week in which fewer than four (4) employees are employed;

(ii) An educational institution, including without limitation a public or private:

- (a) Preschool;
- (b) Elementary school;
- (c) Secondary school;
- (d) Vocational institution;
- (e) Technical institution;
- (f) Postsecondary institution; or
- (g) Institution of higher education;

(iii) An individual, partnership, association, corporation, business trust, or person or group of persons that employs fewer than fifty (50) full-time employees; or

(iv) A nonprofit organization described in 26 U.S.C. § 501(c)(3), as in effect on January 1, 2019;