A Bill

For An Act To Be Entitled
AN ACT TO AMEND THE MINIMUM WAGE ACT OF THE STATE OF ARKANSAS; TO PROVIDE AN EXCEPTION TO THE DEFINITION OF "EMPLOYEE"; TO PROVIDE EXCEPTIONS TO THE DEFINITION OF "EMPLOYER"; TO PROVIDE EXCEPTIONS TO THE MINIMUM WAGE ACT OF THE STATE OF ARKANSAS IMPACTING THE LAW RESULTING FROM INITIATED ACT 5 OF 2018; AND FOR OTHER PURPOSES.

Subtitle
TO PROVIDE EXCEPTIONS TO THE MINIMUM WAGE LAW FOR INDIVIDUALS UNDER EIGHTEEN, EDUCATIONAL INSTITUTIONS, EMPLOYERS WITH FEWER THAN FIFTY EMPLOYEES, AND NONPROFIT ORGANIZATIONS AND TO AMEND THE LAW IMPACTING INITIATED ACT 5 OF 2018.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. Arkansas Code § 11-4-203(3), concerning exclusions from the definition of "employee" under the Minimum Wage Act of the State of Arkansas, is amended to add an additional subdivision to read as follows:
(S) An individual under eighteen (18) years of age.

SECTION 2. Arkansas Code § 11-4-203(4)(B), concerning the definition of "employer" under the Minimum Wage Act of the State of Arkansas, is amended to read as follows:
(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;