

As Engrossed: 2/5/91, 2/26/91

1 **State of Arkansas**
2 **78th General Assembly**
3 **Regular Session, 1991**
4 **By: Senator Hopkins**

A BILL ACT 544 OF 1991
SENATE BILL 200

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6
7 **For An Act To Be Entitled**

8 "AN ACT TO AMEND ARKANSAS CODE 11-4-210 TO ESTABLISH THE
9 MINIMUM WAGE IN ARKANSAS; TO AMEND ARKANSAS CODE 11-4-211
10 TO PROVIDE OVERTIME WAGES FOR HOURS OVER FORTY (40) PER
11 WORK WEEK; AND FOR OTHER PURPOSES."

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

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15 SECTION 1. Arkansas Code 11-4-210 (a) is amended to read as follows:

16 "(a) (1) Beginning July 1, 1991, every employer shall pay each of his
17 employees wages at the rate of not less than *three dollars and sixty-five*
18 *cents (\$3.65)* per hour except as otherwise provided in this chapter.

19 (2) Beginning July 1, 1992, every employer shall pay each of his
20 employees wages at the rate of not less than *four dollars (\$4.00)* per hour
21 except as otherwise provided in this chapter."

22
23 SECTION 2. Arkansas Code 11-4-211 is amended to read as follows:

24 "(a) Except as otherwise provided in this section and §§11-4-210 and
25 11-4-212, no employer shall employ any of his employees for a work- week
26 longer than forty (40) hours unless the employee receives compensation for his
27 employment in excess of the hours above specified at a rate not less than one
28 and one-half (1 1/2) times the regular rate of pay at which he is employed.

29 (b) *However, employees of hotels, restaurants, and tourist attractions,*
30 *which have an annual sales volume of less than five hundred thousand dollars*
31 *(\$500,000) and which are subject to the provisions of this subchapter, shall*
32 *be compensated at one and one-half (1 1/2) times the regular hourly rate of*
33 *pay for all hours worked in excess of:*

34 (1) *Forty-four (44) hours in a work week beginning July 1, 1991;*

35 *and*

36 (2) *Forty (40) hours in a work week beginning July 1, 1992.*

1 (c) The provisions regarding the payment of wages at one and one-half (1
2 1/2) times the regular rate of pay for overtime services shall not be
3 applicable with respect to agricultural employees.

4 (d) Neither the provisions of this section nor the provisions of any
5 other law of this state shall be construed to require the payment of
6 compensation at a greater rate than the normal rate for services performed by
7 agricultural employees in excess of forty (40) hours per week."

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9 SECTION 3. All provisions of this act of a general and permanent nature
10 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
11 Revision Commission shall incorporate the same in the Code.

12
13 SECTION 4. If any provision of this act or the application thereof to
14 any person or circumstance is held invalid, such invalidity shall not affect
15 other provisions or applications of the act which can be given effect without
16 the invalid provision or application, and to this end the provisions of this
17 act are declared to be severable.

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19 SECTION 5. All laws and parts of laws in conflict with this act are
20 hereby repealed.

21
22 *SECTION 6. It is found and determined by the General Assembly of the*
23 *State of Arkansas that the minimum wage laws and overtime laws in Arkansas are*
24 *in need of revision and that this act is immediately necessary to assist*
25 *persons now receiving minimum wage. Therefore, an emergency is hereby*
26 *declared to exist and this act being necessary for the immediate preservation*
27 *of the public peace, health and safety shall be full force and effect on and*
28 *after July 1, 1991.*

29
30 /s/Hopkins

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32 APPROVED: 3-14-91