

1 **State of Arkansas**
2 **79th General Assembly**
3 **Regular Session, 1993**
4 **By: Representatives Curran, Willems, Rice, Hinshaw, Watts, McGee, Whorton, Bisbee, Hill,**
5 **Stalnaker and Hall**

A Bill

ACT 1120 OF 1993
HOUSE BILL 1886

For An Act To Be Entitled

"AN ACT TO EXEMPT SEASONAL AGRICULTURAL LABOR FROM THE
CHILD LABOR LAWS; AND FOR OTHER PURPOSES."

Subtitle

"AN ACT TO EXEMPT SEASONAL AGRICULTURAL LABOR FROM THE
CHILD LABOR LAWS."

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

SECTION 1. (a) As used in this act, "Employed in Agriculture" means
employed as a seasonal agricultural laborer to pick, plant, harvest, grade,
sort or haul any crop, fruit or vegetable by use of the employee_s hands.

(b) Except as provided in this act, the provisions of Chapter 6 of
Title 11 of the Arkansas Code, relating to child labor, shall not apply to any
employee employed in agriculture outside of school hours of the school
district where such employee is living while he is so employed, if such
employee is fourteen (14) years of age or older.

(c) The provisions of Arkansas Code §§ 11-6-108 and 11-6-110, relating
to hours of employment, shall apply to any person employed under this act.

SECTION 2. All provisions of this act of a general and permanent nature
are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
Revision Commission shall incorporate the same in the Code.

SECTION 3. If any provision of this act or the application thereof to
any person or circumstance is held invalid, such invalidity shall not affect
other provisions or applications of the act which can be given effect without
the invalid provision or application, and to this end the provisions of this

1 act are declared to be severable.

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3 SECTION 4. All laws and parts of laws in conflict with this act are
4 hereby repealed.

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6 SECTION 5. It is hereby found and determined by the General Assembly
7 that persons engaged in the agricultural industry are suffering from a
8 hardship because there are not enough employees available to adequately
9 harvest crops; that it would advantageous to the State of Arkansas to allow
10 persons engaged in the agriculture industry to hire persons between the ages
11 of twelve (12) and sixteen (16) years outside of school hours; that presently
12 there are restrictions placed by law upon the employment of persons between
13 the ages of twelve (12) and sixteen (16) years; that there are ample
14 safeguards for employees between the ages of twelve (12) and sixteen (16) in
15 the Fair Labor Standards Act, 29 U.S.C. 201, et seq., against oppressive child
16 labor; that the provisions of this act are consistent with the provisions of
17 the Fair Labor Standards Act; that this act is immediately necessary to
18 protect the livelihood of Arkansas farmers and to provide the youth of this
19 State with an opportunity for summer employment. Therefore, an emergency is
20 declared to exist, and this Act being necessary for the immediate preservation
21 of the public peace, health and safety, shall be in effect from the date of
22 its passage and approval.

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/s/Armil O. Curran, et al

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APPROVED: 04/13/93

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