

Stricken language would be deleted from and underlined language would be added to law as it existed prior to the 82nd General Assembly.

1 State of Arkansas
2 82nd General Assembly
3 Regular Session, 1999
4

A Bill

Act 22 of 1999
SENATE BILL 95

5 By: Senator Mahony
6
7

For An Act To Be Entitled

8
9 "AN ACT TO AMEND ARKANSAS CODE § 24-1-202 TO CHANGE
10 THE DEFINITION OF EMPLOYMENT UNDER THE PUBLIC
11 EMPLOYEES' SOCIAL SECURITY LAW; TO DECLARE AN
12 EMERGENCY; AND FOR OTHER PURPOSES."
13

Subtitle

14
15 "TO CHANGE THE DEFINITION OF EMPLOYMENT
16 UNDER THE PUBLIC EMPLOYEES' SOCIAL
17 SECURITY LAW."
18
19

20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
21

22 SECTION 1. Arkansas Code § 24-1-202(2), regarding the definition of
23 "employment" under the Public Employees' Social Security Law, is amended to
24 read as follows:

25 "(2) 'Employment' means any service performed by an employee in the
26 employ of the state or any political subdivision of the state for his employer
27 except:

28 (A) Services which, in the absence of any agreement entered into
29 under this subchapter, would constitute employment as defined in the Social
30 Security Act; or

31 (B) Services which, under the Social Security Act, may not be
32 included or may have been voluntarily excluded, under authority granted by
33 federal law or regulations, in an agreement between the state and the federal
34 security administrator entered into under this subchapter;"
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36 SECTION 2. All provisions of this act of a general and permanent nature

1 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
2 Revision Commission shall incorporate the same in the Code.

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

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11 hereby repealed.

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13 SECTION 5. EMERGENCY CLAUSE. It is hereby found and determined by the
14 Eighty-second General Assembly that an amendment to the State Public
15 Employees' Social Security law is required to allow school employers to
16 voluntarily exclude student services under federal P.L. 105-277 enacted on
17 October 21, 1998 and that this federal law requires that the exclusion
18 agreement be completed by March 31, 1999. Therefore, an emergency is declared
19 to exist and this act being immediately necessary for the preservation of the
20 public peace, health and safety shall become effective on the date of its
21 approval by the Governor. If the bill is neither approved nor vetoed by the
22 Governor, it shall become effective on the expiration of the period of time
23 during which the Governor may veto the bill. If the bill is vetoed by the
24 Governor and the veto is overridden, it shall become effective on the date the
25 last house overrides the veto.

26 _____ APPROVED: 2/4/1999