

1 State of Arkansas
2 93rd General Assembly
3 Regular Session, 2021
4

As Engrossed: H4/6/21

A Bill

HOUSE BILL 1300

5 *By: Representatives Murdock, Warren*
6 By: Senator K. Hammer
7

For An Act To Be Entitled

9 AN ACT TO AMEND CERTAIN PROVISIONS OF TITLE 24 OF THE
10 ARKANSAS CODE CONCERNING RETIREMENT AND PENSIONS;
11 CONCERNING THE MEMBERSHIP OF PARTICIPANTS IN SUMMER
12 YOUTH WORK PROGRAMS IN THE ARKANSAS TEACHER
13 RETIREMENT SYSTEM; TO AMEND THE DEFINITION OF
14 "EMPLOYEE"; AND FOR OTHER PURPOSES.
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Subtitle

18 CONCERNING THE MEMBERSHIP OF PARTICIPANTS
19 IN SUMMER YOUTH WORK PROGRAMS IN THE
20 ARKANSAS TEACHER RETIREMENT SYSTEM; AND
21 TO AMEND THE DEFINITION OF "EMPLOYEE".
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24 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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26 *SECTION 1. Arkansas Code § 24-7-202(16), concerning the definition of*
27 *"employee" as applicable to the Arkansas Teacher Retirement System, is*
28 *amended to read as follows:*

29 *(16)(A) "Employee" means any person employed by an employer*
30 *covered by the Arkansas Teacher Retirement System.*

31 *(B)(i) "Employee" does not include a participant in a*
32 *summer work program whose compensation is disbursed by a covered employer*
33 *through an agreement with an administrator of a summer work program to serve*
34 *as a pass-through fiscal agent if the participant is:*

35 *(a) Enrolled in a secondary public school as a*
36 *student;*



1 (b) Employed for a period between the first
2 day of June and the last day of August; and

3 (c) Participating in a program in which the
4 covered employer is acting as a pass-through fiscal agent.

5 (ii) The board shall promulgate rules for the
6 implementation of subdivision (16)(B)(i) of this section;

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8 SECTION 2. Arkansas Code Title 24, Chapter 7, Subchapter 5 is amended
9 to add an additional section to read as follows:

10 24-7-507. Youth participants – Summer work programs.

11 (a) At the request of the Arkansas Teacher Retirement System, a
12 covered employer shall provide the system with a memorandum of understanding,
13 partnership agreement, or another similar document related to the covered
14 employer's actions as a pass-through fiscal agent for participants described
15 in § 24-7-202(16)(B).

16 (b) A covered employer who acts as a pass-through fiscal agent shall
17 not be required to report participants described in § 24-7-202(16)(B) as
18 "employees" for purposes of the system.

19 (c) The Board of Trustees of the Arkansas Teacher Retirement System
20 shall promulgate rules for the implementation of this section.

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22 /s/Murdock

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25 APPROVED: 4/13/21