

1 State of Arkansas
2 89th General Assembly
3 Regular Session, 2013
4

As Engrossed: S3/5/13, S3/6/13

A Bill

SENATE BILL 533

5 By: Senator Teague
6 *By: Representative Bell*
7

For An Act To Be Entitled

9 AN ACT TO EXEMPT ORGANIZED CAMPS AND RELIGIOUS AND
10 NONPROFIT EDUCATIONAL CONFERENCE CENTERS FROM THE
11 DEFINITION OF EMPLOYEE UNDER THE MINIMUM WAGE LAW; TO
12 DECLARE AN EMERGENCY; AND FOR OTHER PURPOSES.
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Subtitle

15 TO EXEMPT ORGANIZED CAMPS AND RELIGIOUS
16 AND NONPROFIT EDUCATIONAL CONFERENCE
17 CENTERS FROM THE DEFINITION OF EMPLOYEE
18 UNDER THE MINIMUM WAGE LAW; AND TO
19 DECLARE AN EMERGENCY.
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23 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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25 SECTION 1. Arkansas Code § 11-4-203(3), concerning exemptions for the
26 definition of employee under the minimum wage law, is amended to add an
27 additional subdivision to read as follows:

28 (R)(i) An individual employed by an establishment that is
29 an organized camp or a religious or nonprofit educational conference center
30 if:

31 (a) The organized camp or a religious or non-
32 profit educational conference center does not operate for more than seven (7)
33 months in a calendar year; or

34 (b) During the preceding calendar year, the
35 average receipts of the organized camp or a religious or nonprofit
36 educational conference center for any six (6) months of the preceding



1 calendar year were not more than thirty-three and one-third percent (33 1/3%)
2 of the average receipts of the organized camp or a religious or nonprofit
3 educational conference center for the other six (6) months of the preceding
4 calendar year.

5 (ii)(a) This subdivision (3)(R) is effective
6 retroactively as of January 1, 2006.

7 (b) The retroactive effect of this subdivision
8 (3)(R) does not impose liability on the department or on an employee to repay
9 damages, back wages, civil money penalties, or other monies collected or paid
10 by the department or received by an employee.

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12 SECTION 2. EMERGENCY CLAUSE. It is found and determined by the
13 General Assembly of the State of Arkansas that organized camps and religious
14 and nonprofit educational conference centers begin preparations for summer
15 camps and conferences several months before the summer season begins; that
16 organized camps and religious and nonprofit educational conference centers
17 need clarity about staff wages early in the season-preparation and planning
18 process; and that this act is immediately necessary because organized camps
19 and religious and nonprofit educational conference centers will be harmed if
20 they cannot immediately construct an accurate picture of the costs of
21 operating during the forthcoming summer season. Therefore, an emergency is
22 declared to exist, and this act being immediately necessary for the
23 preservation of the public peace, health, and safety shall become effective
24 on:

25 (1) The date of its approval by the Governor;

26 (2) If the bill is neither approved nor vetoed by the Governor,
27 the expiration of the period of time during which the Governor may veto the
28 bill; or

29 (3) If the bill is vetoed by the Governor and the veto is
30 overridden, the date the last house overrides the veto.

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32 */s/Teague*

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35 **APPROVED: 03/21/2013**

