Stricken language would be deleted from and underlined language would be added to present law.

State of Arkansas
As Engrossed: S3/13/17

A Bill

Regular Session, 2017
SENATE BILL 668

By: Senator Hester
By: Representative Bentley

For An Act To Be Entitled

AN ACT TO PROHIBIT POLITICAL SUBDIVISIONS OF THE
STATE FROM REQUIREING MORE THAN FEDERAL OR STATE
REQUIREMENTS FROM EMPLOYERS; AND FOR OTHER PURPOSES.

Subtitle

TO PROHIBIT POLITICAL SUBDIVISIONS OF THE
STATE FROM REQUIREING MORE THAN FEDERAL OR
STATE REQUIREMENTS FROM EMPLOYERS.

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

SECTION 1. DO NOT CODIFY. Legislative intent.
The General Assembly finds that:

(A) Arkansas employers are best able to grow and invest in
their communities when operating under a clear, consistent regulatory system
that imposes only those burdens absolutely necessary to promote the public
welfare.

(B) Allowing localities to mandate employer-provided
benefits would create a patchwork of local regulations discouraging employers
from growing and investing and imposing significant compliance burdens on
them; and

(C) Furthermore, locally mandated benefits frustrate the
General Assembly's goal of a thriving statewide economy and place Arkansas
employers at a competitive disadvantage to employers in other states not
burdened with unnecessary local regulations; and

(2) Preemption of burdensome and unnecessary local government
mandates on employers to provide employee benefits provides a stable
environment for Arkansas employers and promotes economic development.

SECTION 2. Arkansas Code Title 11, Chapter 4, Subchapter 2, is amended
to add an additional section to read as follows:

11-4-221. Political subdivisions prohibited from requiring more than
federal or state requirements from employers - Definitions.

(a) As used in this section:

(1) "Employee" means an individual employed in this state by an
employer;

(2)(A) "Employer" means an individual, sole proprietorship,
partnership, limited liability company, corporation, or other entity that
does business in this state.

(B) However, "employer" does not include a public
employer;

(3) “Employment benefit" means anything of value that an
employee may receive from an employer in addition to wages and salary,
including without limitation:

(A) Health, disability, retirement, profit-sharing, and
death benefits;

(B) Group accidental death and dismemberment benefits;

(C) Paid or unpaid days off from work for holidays, sick
leave, vacation, and personal necessity; and

(D) Terms of employment, notice of scheduling, attendance,
or leave policies;

(4) "Political subdivision" means a county, city, or town in
this state; and

(5) "Public employer" means the State of Arkansas and each
political subdivision of the state.

(b) A political subdivision shall not establish, mandate, or otherwise
require an employer to provide to an employee a minimum or living wage rate
or employment benefit
that exceeds the requirements of federal laws or regulations or state laws or
rules.

SECTION 3. DO NOT CODIFY. Applicability.
Section 2 of this act does not preempt any state law or local minimum wage ordinance requirements in effect on the effective date of this act.

/s/Hester