

1 State of Arkansas  
2 92nd General Assembly  
3 Regular Session, 2019  
4

# A Bill

HOUSE BILL 1752

5 By: Representative Lundstrum  
6 By: Senator M. Pitsch  
7

## For An Act To Be Entitled

9 AN ACT TO AMEND THE MINIMUM WAGE ACT OF THE STATE OF  
10 ARKANSAS; TO PROVIDE AN EXCEPTION TO THE DEFINITION  
11 OF "EMPLOYER"; TO AMEND THE MINIMUM WAGE ACT OF THE  
12 STATE OF ARKANSAS RESULTING FROM INITIATED ACT 5 OF  
13 2018; AND FOR OTHER PURPOSES.  
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## Subtitle

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16 TO AMEND THE MINIMUM WAGE ACT OF THE  
17 STATE OF ARKANSAS; TO PROVIDE AN  
18 EXCEPTION TO THE DEFINITION OF  
19 "EMPLOYER"; AND TO AMEND THE MINIMUM WAGE  
20 ACT OF THE STATE OF ARKANSAS RESULTING  
21 FROM INITIATED ACT 5 OF 2018.  
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25 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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27 SECTION 1. Arkansas Code § 11-4-203(4), concerning the definition of  
28 "employer" within the Minimum Wage Act of the State of Arkansas and as  
29 affected by Initiated Act 5 of 2018, is amended to read as follows:

30 (4)(A) "Employer" means ~~any~~ an individual, partnership,  
31 association, corporation, business trust, the State of Arkansas, ~~any~~ a  
32 political subdivision of the state, or ~~any~~ a person or group of persons  
33 acting directly or indirectly in the interest of an employer in relation to  
34 an employee.

35 (B) "Employer" ~~shall not~~ does not include:

36 (i) ~~any~~ An individual, partnership, association,



1 corporation, business trust, or ~~any~~ person or group of persons acting  
2 directly or indirectly in the interest of an employer in relation to an  
3 employee for ~~any~~ a work week in which fewer than ~~four (4)~~ twenty-five (25)  
4 employees are employed;

5 (ii) A private nonprofit developmental service  
6 provider whose operations are primarily funded by state or federal  
7 reimbursement, or both, on a fee-for-service schedule; or

8 (iii) A private nonprofit entity whose annual  
9 operating budget is less than one million dollars (\$1,000,000);

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11 SECTION 2. EFFECTIVE DATE. This act is effective on and after January  
12 1, 2020.

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