

Hall of the House of Representatives

93rd General Assembly - Regular Session, 2021

Amendment Form

Subtitle of House Bill No. 1300

TO AMEND CERTAIN PROVISIONS OF TITLE 24 OF THE ARKANSAS CODE CONCERNING
RETIREMENT AND PENSIONS.

Amendment No. 1 to House Bill 1300

Amend House Bill No. 1300 as originally introduced:

Delete the title in its entirety and substitute:

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

AND

Delete the subtitle in its entirety and substitute:

"CONCERNING THE MEMBERSHIP OF PARTICIPANTS IN SUMMER YOUTH WORK PROGRAMS IN
THE ARKANSAS TEACHER RETIREMENT SYSTEM; AND TO AMEND THE DEFINITION OF
"EMPLOYEE".

AND

Page 1, line 5, delete "Warren" and substitute "Murdock, Warren"

AND

Delete everything after the enacting clause and substitute the following:

"SECTION 1. Arkansas Code § 24-7-202(16), concerning the definition of
"employee" as applicable to the Arkansas Teacher Retirement System, is
amended to read as follows:

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

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

(a) Enrolled in a secondary public school as a
student;



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

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

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

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

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

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

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

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

The Amendment was read _____
By: Representative Warren
JNL/JNL - 04-01-2021 10:21:10
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Chief Clerk