

1 State of Arkansas
2 80th General Assembly
3 Regular Session, 1995
4 By: Senator Hardin

A Bill

SENATE BILL 16

For An Act To Be Entitled

"AN ACT TO AMEND ARKANSAS CODE 11-10-210 (f)(16)(A)
CONCERNING THE STATUS OF NEWSPAPER CARRIERS AS INDEPENDENT
CONTRACTORS; TO DECLARE AN EMERGENCY; AND FOR OTHER
PURPOSES."

Subtitle

"AN ACT CONCERNING THE STATUS OF
NEWSPAPER CARRIERS AS INDEPENDENT
CONTRACTORS."

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

SECTION 1. Arkansas Code 11-10-210 (f)(16)(A), concerning services not included as employment, is amended to read as follows:

"(A) Service performed by an individual in the delivery or distribution of newspapers or shopping news, not including delivery or distribution to any point for subsequent delivery or distribution;"

SECTION 2. All provisions of this act of a general and permanent nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code Revision Commission shall incorporate the same in the Code.

SECTION 3. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to this end the provisions of this act are declared to be severable.

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SECTION 4. All laws and parts of laws in conflict with this act are hereby repealed.

SECTION 5. EMERGENCY. It is found and determined by the General Assembly that newspaper carriers have traditionally been considered to be independent contractors; that the Employment Security Department's interpretation of the laws concerning independent contractors has called into question whether many newspaper carriers are employees or independent contractors; that many small newspapers will be harmed, if newspaper carriers are interpreted to be employees; that this act exempts newspaper carriers from employment status; that this act is immediately necessary in order to preserve the independent contractor status of newspaper carriers and to avoid unnecessary harm to newspaper companies. Therefore an emergency is hereby declared to exist and this act, being necessary for the immediate preservation of the public peace, health and safety, shall be in full force and effect upon passage and approval.

