

1 State of Arkansas
2 81st General Assembly
3 Regular Session, 1997
4
5 By: Senator Gwatney

A Bill

SENATE BILL 71

For An Act To Be Entitled

9 "AN ACT TO AMEND THE PRIVATE EMPLOYMENT AGENCY ACT TO
10 EXEMPT FROM LICENSURE PERSONS WHO CONTRACT WITH AN
11 EMPLOYER TO RECRUIT EMPLOYEES WITHOUT CHARGE TO THE
12 EMPLOYEE; AND FOR OTHER PURPOSES."

Subtitle

15 "AMEND THE PRIVATE EMPLOYMENT AGENCY ACT
16 TO EXEMPT FROM LICENSURE PERSONS WHO
17 CONTRACT WITH AN EMPLOYER TO RECRUIT
18 EMPLOYEES WITHOUT CHARGE TO THE
19 EMPLOYEE."

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

23 SECTION 1. Arkansas Code 11-11-202(6)(B) is amended to read as follows:

24 "(B) However, _employment agent_ or _employment agency_ does not mean:

25 (i) Any person who prepares resumes for individuals for
26 employment purposes, if the person who prepares the resumes does not refer or
27 purport to refer prospective employees to employers or employers to
28 prospective employees, does not represent himself or herself as an employment
29 agency, or does not have any financial connection with any employment agency;

30 (ii) Any person who employs individuals to render part-time or
31 temporary services to, for, or under the direction of a third person if the
32 person employing the individuals, in addition to wages or salaries, pays
33 federal social security taxes, state and federal unemployment insurance, and
34 secures work-service to, for, or under the direction of a third person;

35 (iii) Any bona fide nursing school, nurses' registry, management
36 consulting firm, business school, or vocational school whose primary function

1 and purpose is training and education, except that if such an organization
2 charges a fee, directly or indirectly, for job placement of individuals, the
3 organization shall be an employment agency within the meaning of this
4 subchapter;

5 (iv) A labor organization;

6 (v) Any person who publishes advertisements placed and paid for
7 by a third person seeking employment or an employee, provided such person does
8 not procure or offer to procure employment or employees;

9 (vi) Any person who contracts with an employer to recruit
10 employees for the employer without charge to the prospective employee."

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

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

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

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