

1 State of Arkansas
2 91st General Assembly
3 Regular Session, 2017
4
5 By: Senator Hester

A Bill

SENATE BILL 668

For An Act To Be Entitled

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

Subtitle

14 TO PROHIBIT POLITICAL SUBDIVISIONS OF THE
15 STATE FROM REQUIRING MORE THAN FEDERAL OR
16 STATE REQUIREMENTS FROM EMPLOYERS.

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

21 SECTION 1. DO NOT CODIFY. Legislative intent.

22 The General Assembly finds that:

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

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

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

35 (2) Preemption of burdensome and unnecessary local government
36 mandates on employers to provide employee benefits provides a stable



1 environment for Arkansas employers and promotes economic development.

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

5 11-4-221. Political subdivisions prohibited from requiring more than
6 federal or state requirements from employers - Definitions.

7 (a) As used in this section:

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

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

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

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

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

20 (B) Group accidental death and dismemberment benefits;

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

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

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

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

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

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35 SECTION 3. DO NOT CODIFY. Applicability.

36 Section 2 of this act does not preempt any state law or local minimum

1 wage ordinance requirements in effect on the effective date of this act.

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