

1 State of Arkansas
2 93rd General Assembly
3 Regular Session, 2021
4

As Engrossed: S4/8/21 S4/14/21

A Bill

SENATE BILL 539

5 By: Senator B. Davis
6 By: Representative Pilkington
7

For An Act To Be Entitled

9 AN ACT TO AMEND THE LAW REGARDING THE PAYMENT OF
10 WAGES; TO ESTABLISH PARAMETERS REGARDING THE
11 RECOUPMENT OF OVERPAYMENTS BY EMPLOYERS; AND FOR
12 OTHER PURPOSES.
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Subtitle

15 TO AMEND THE LAW REGARDING THE PAYMENT OF
16 WAGES; AND TO ESTABLISH PARAMETERS
17 REGARDING THE RECOUPMENT OF OVERPAYMENTS
18 BY EMPLOYERS.
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22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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24 SECTION 1. Arkansas Code Title 11, Chapter 4, Subchapter 4, is amended
25 to add an additional section to read as follows:

26 11-4-406. Recoupment of overpayment of wages.

27 (a) In order to recoup an overpayment of wages paid to an employee, an
28 employer shall:

29 (1) Provide written notice to an employee at least twenty-one
30 (21) days in advance before first deducting from the employee's wages; and

31 (2) Deduct no more than twenty percent (20%) of the employee's
32 gross wages per pay period to recoup the overpayment.

33 (b) The advance written notice required under subdivision (a)(1) of
34 this section shall specify the:

35 (1) Amount of overpayment to be recouped;

36 (2) Method used to calculate the overpayment; and



