

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

# A Bill

SENATE BILL 547

5 By: Senator T. Garner  
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## For An Act To Be Entitled

8 AN ACT TO AMEND CERTAIN PROVISIONS OF INITIATED ACT 4  
9 OF 1948; TO REGULATE A DIRECT SELLER AS AN  
10 INDEPENDENT CONTRACTOR; AND FOR OTHER PURPOSES.  
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## Subtitle

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14 TO AMEND CERTAIN PROVISIONS OF INITIATED  
15 ACT 4 OF 1948; AND TO REGULATE A DIRECT  
16 SELLER AS AN INDEPENDENT CONTRACTOR.  
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19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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21 SECTION 1. Arkansas Code § 11-4-203(3), concerning definitions used in  
22 the Minimum Wage Act of the State of Arkansas, is amended to add an  
23 additional subdivision to read as follows:

24 (S) A direct seller as defined in the Internal Revenue  
25 Code of 1986, 26 U.S.C. § 3508(b)(2), as it existed on January 1, 2021;  
26

27 SECTION 2. Arkansas Code § 11-9-102(9), concerning the definition of  
28 "employee" under the Workers' Compensation Law and resulting from Initiated  
29 Act 4 of 1948, is amended to add an additional subdivision to read as  
30 follows:

31 (E) "Employee" shall not include a direct seller as  
32 defined in the Internal Revenue Code of 1986, 26 U.S.C. § 3508(b)(2), as it  
33 existed on January 1, 2021;  
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35 SECTION 3. Arkansas Code § 11-10-210(f), concerning the definition of  
36 "employment" under the Division of Workforce Services Law, is amended to add



1 an additional subdivision to read as follows:

2 (24) Services performed by a direct seller as defined in the  
3 Internal Revenue Code of 1986, 26 U.S.C. § 3508(b)(2), as it existed on  
4 January 1, 2021.

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