

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

As Engrossed: S3/17/21

A Bill

SENATE BILL 547

5 By: Senator T. Garner
6 *By: Representative Ray*
7

For An Act To Be Entitled

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

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

25 (S) A direct seller as defined in the Internal Revenue
26 Code of 1986, 26 U.S.C. § 3508(b)(2), as it existed on January 1, 2021;
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28 SECTION 2. Arkansas Code § 11-9-102(9), concerning the definition of
29 "employee" under the Workers' Compensation Law and resulting from Initiated
30 Act 4 of 1948, is amended to add an additional subdivision to read as
31 follows:

32 (E) "Employee" shall not include a direct seller as
33 defined in the Internal Revenue Code of 1986, 26 U.S.C. § 3508(b)(2), as it
34 existed on January 1, 2021;
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36 SECTION 3. Arkansas Code § 11-10-210(f), concerning the definition of



1 "employment" under the Division of Workforce Services Law, is amended to add
2 an additional subdivision to read as follows:

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

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/s/T. Garner

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