

Stricken language would be deleted from and underlined language would be added to present law.
Act 691 of the Regular Session

State of Arkansas
93rd General Assembly
Regular Session, 2021

As Engrossed: H4/6/21
A Bill

HOUSE BILL 1300

By: Representatives Murdock, Warren

By: Senator K. Hammer

For An Act To Be Entitled

AN ACT TO AMEND CERTAIN PROVISIONS OF TITLE 24 OF THE
ARKANSAS CODE CONCERNING RETIREMENT AND PENSIONS;
CONCERNING THE MEMBERSHIP OF PARTICIPANTS IN SUMMER
YOUTH WORK PROGRAMS IN THE ARKANSAS TEACHER
RETIREMENT SYSTEM; TO AMEND THE DEFINITION OF
"EMPLOYEE"; AND FOR OTHER PURPOSES.

Subtitle

CONCERNING THE MEMBERSHIP OF PARTICIPANTS
IN SUMMER YOUTH WORK PROGRAMS IN THE
ARKANSAS TEACHER RETIREMENT SYSTEM; AND
TO AMEND THE DEFINITION OF "EMPLOYEE".

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

SECTION 1. Arkansas Code § 24-7-202(16), concerning the definition of "employee" as applicable to the Arkansas Teacher Retirement System, is amended to read as follows:

(16)(A) "Employee" means any person employed by an employer covered by the Arkansas Teacher Retirement System.

(B)(i) "Employee" does not include a participant in a summer work program whose compensation is disbursed by a covered employer through an agreement with an administrator of a summer work program to serve as a pass-through fiscal agent if the participant is:

(a) Enrolled in a secondary public school as a student;



(b) Employed for a period between the first day of June and the last day of August; and

(c) Participating in a program in which the covered employer is acting as a pass-through fiscal agent.

(ii) The board shall promulgate rules for the implementation of subdivision (16)(B)(i) of this section;

SECTION 2. Arkansas Code Title 24, Chapter 7, Subchapter 5 is amended to add an additional section to read as follows:

24-7-507. Youth participants – Summer work programs.

(a) At the request of the Arkansas Teacher Retirement System, a covered employer shall provide the system with a memorandum of understanding, partnership agreement, or another similar document related to the covered employer's actions as a pass-through fiscal agent for participants described in § 24-7-202(16)(B).

(b) A covered employer who acts as a pass-through fiscal agent shall not be required to report participants described in § 24-7-202(16)(B) as "employees" for purposes of the system.

(c) The Board of Trustees of the Arkansas Teacher Retirement System shall promulgate rules for the implementation of this section.

/s/Murdock

APPROVED: 4/13/21