

1 **State of Arkansas**
2 **79th General Assembly**
3 **Regular Session, 1993**
4 **By: Representatives Curran, Willems, Rice, Hinshaw, Watts, McGee, Whorton, Bisbee, Hill,**
5 **Stalnaker and Hall**

A Bill

HOUSE BILL 1886

For An Act To Be Entitled

9 "AN ACT TO EXEMPT SEASONAL AGRICULTURAL LABOR FROM THE
10 CHILD LABOR LAWS; AND FOR OTHER PURPOSES."

Subtitle

13 "AN ACT TO EXEMPT SEASONAL AGRICULTURAL LABOR FROM THE
14 CHILD LABOR LAWS."

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

18 SECTION 1. (a) As used in this act, "Employed in Agriculture" means
19 employed as a seasonal agricultural laborer to pick, plant, harvest, grade,
20 sort or haul any crop, fruit or vegetable by use of the employee_s hands.

21 (b) Except as provided in this act, the provisions of Chapter 6 of
22 Title 11 of the Arkansas Code, relating to child labor, shall not apply to any
23 employee employed in agriculture outside of school hours of the school
24 district where such employee is living while he is so employed, if such
25 employee is fourteen (14) years of age or older.

26 (c) The provisions of Arkansas Code §§ 11-6-108 and 11-6-110, relating
27 to hours of employment, shall apply to any person employed under this act.

29 SECTION 2. All provisions of this act of a general and permanent nature
30 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
31 Revision Commission shall incorporate the same in the Code.

33 SECTION 3. If any provision of this act or the application thereof to
34 any person or circumstance is held invalid, such invalidity shall not affect
35 other provisions or applications of the act which can be given effect without

1 the invalid provision or application, and to this end the provisions of this
2 act are declared to be severable.

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4 SECTION 4. All laws and parts of laws in conflict with this act are
5 hereby repealed.

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7 SECTION 5. It is hereby found and determined by the General Assembly
8 that persons engaged in the agricultural industry are suffering from a
9 hardship because there are not enough employees available to adequately
10 harvest crops; that it would advantageous to the State of Arkansas to allow
11 persons engaged in the agriculture industry to hire persons between the ages
12 of twelve (12) and sixteen (16) years outside of school hours; that presently
13 there are restrictions placed by law upon the employment of persons between
14 the ages of twelve (12) and sixteen (16) years; that there are ample
15 safeguards for employees between the ages of twelve (12) and sixteen (16) in
16 the Fair Labor Standards Act, 29 U.S.C. 201, et seq., against oppressive child
17 labor; that the provisions of this act are consistent with the provisions of
18 the Fair Labor Standards Act; that this act is immediately necessary to
19 protect the livelihood of Arkansas farmers and to provide the youth of this
20 State with an opportunity for summer employment. Therefore, an emergency is
21 declared to exist, and this Act being necessary for the immediate preservation
22 of the public peace, health and safety, shall be in effect from the date of
23 its passage and approval.

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/s/Armil O. Curran, et al

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