

State of Arkansas
89th General Assembly
Regular Session, 2013

A Bill

HOUSE BILL 1259

By: Representative Dale
By: Senator B. Pierce

For An Act To Be Entitled

AN ACT TO AMEND THE DEFINITIONS OF "EMPLOYEE" AND
"EMPLOYER" UNDER THE DIVISION OF STATE NEW HIRE
REGISTRY; AND FOR OTHER PURPOSES.

Subtitle

TO AMEND THE DEFINITIONS OF "EMPLOYEE"
AND "EMPLOYER" UNDER THE DIVISION OF
STATE NEW HIRE REGISTRY.

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

SECTION 1. Arkansas Code § 11-10-902(a)(2) and (3), concerning definitions under the Division of State New Hire Registry, is amended to read as follows:

(2) "Employee" means an individual who is an employee:

(A) ~~as~~ As defined in Chapter 24 of the Internal Revenue Code of 1986 but does not include an employee of a federal or state agency performing intelligence or counterintelligence operations if the head of the agency has determined that reporting pursuant to subsection (b) of this section could endanger the safety of the employee or could compromise an ongoing operation or investigation; or

(B) Working as an independent contractor for an employer.

(3) "Employer" means an employer:

(A) ~~as~~ As that term is defined in § 3401(d) of the Internal Revenue Code of 1986 and includes any labor organization and any governmental entity; ~~and~~ or



(B) Who reports money paid to an independent contract employee on a 1099-MISC form to the Internal Revenue Service; and

SECTION 2. Arkansas Code § 11-10-902(b)(4), concerning reporting requirements for the State New Hire Registry, is amended to read as follows:

(4) An employer shall make the report by submitting a copy of Internal Revenue Service Form W-4 or 1099-MISC for the employee or an equivalent form. An employer may transmit the report by first class mail, magnetically, or electronically. If an employer makes the report by mail, the reporting date is that of the postmark. The report shall be received not later than twenty (20) days after the date the employer hires the employee or, in the case of an employer transmitting reports magnetically or electronically, by two (2) monthly transmissions, if necessary, not less than twelve (12) days nor more than sixteen (16) days apart.