

Stricken language would be deleted from and underlined language would be added to present law.

State of Arkansas
89th General Assembly
Regular Session, 2013

As Engrossed: S3/5/13 S3/6/13
A Bill

SENATE BILL 533

By: Senator Teague
By: Representative Bell

For An Act To Be Entitled

AN ACT TO EXEMPT ORGANIZED CAMPS AND RELIGIOUS AND
NONPROFIT EDUCATIONAL CONFERENCE CENTERS FROM THE
DEFINITION OF EMPLOYEE UNDER THE MINIMUM WAGE LAW; TO
DECLARE AN EMERGENCY; AND FOR OTHER PURPOSES.

Subtitle

TO EXEMPT ORGANIZED CAMPS AND RELIGIOUS
AND NONPROFIT EDUCATIONAL CONFERENCE
CENTERS FROM THE DEFINITION OF EMPLOYEE
UNDER THE MINIMUM WAGE LAW; AND TO
DECLARE AN EMERGENCY.

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

SECTION 1. Arkansas Code § 11-4-203(3), concerning exemptions for the definition of employee under the minimum wage law, is amended to add an additional subdivision to read as follows:

(R)(i) An individual employed by an establishment that is an organized camp or a religious or nonprofit educational conference center if:

(a) The organized camp or a religious or nonprofit educational conference center does not operate for more than seven (7) months in a calendar year; or

(b) During the preceding calendar year, the average receipts of the organized camp or a religious or nonprofit educational conference center for any six (6) months of the preceding



calendar year were not more than thirty-three and one-third percent (33 1/3%) of the average receipts of the organized camp or a religious or nonprofit educational conference center for the other six (6) months of the preceding calendar year.

(ii)(a) This subdivision (3)(R) is effective retroactively as of January 1, 2006.

(b) The retroactive effect of this subdivision (3)(R) does not impose liability on the department or on an employee to repay damages, back wages, civil money penalties, or other monies collected or paid by the department or received by an employee.

SECTION 2. EMERGENCY CLAUSE. It is found and determined by the General Assembly of the State of Arkansas that organized camps and religious and nonprofit educational conference centers begin preparations for summer camps and conferences several months before the summer season begins; that organized camps and religious and nonprofit educational conference centers need clarity about staff wages early in the season-preparation and planning process; and that this act is immediately necessary because organized camps and religious and nonprofit educational conference centers will be harmed if they cannot immediately construct an accurate picture of the costs of operating during the forthcoming summer season. Therefore, an emergency is declared to exist, and this act being immediately necessary for the preservation of the public peace, health, and safety shall become effective on:

(1) The date of its approval by the Governor;

(2) If the bill is neither approved nor vetoed by the Governor, the expiration of the period of time during which the Governor may veto the bill; or

(3) If the bill is vetoed by the Governor and the veto is overridden, the date the last house overrides the veto.

/s/Teague