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

State of Arkansas *As Engrossed: H4/6/21*
93rd General Assembly **A Bill**
Regular Session, 2021 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