

1 State of Arkansas
2 91st General Assembly
3 Regular Session, 2017
4

As Engrossed: S3/13/17
A Bill

SENATE BILL 668

5 By: Senator Hester
6 *By: Representative Bentley*
7

8 **For An Act To Be Entitled**

9 AN ACT TO PROHIBIT POLITICAL SUBDIVISIONS OF THE
10 STATE FROM REQUIRING MORE THAN FEDERAL OR STATE
11 REQUIREMENTS FROM EMPLOYERS; AND FOR OTHER PURPOSES.
12

13
14 **Subtitle**

15 TO PROHIBIT POLITICAL SUBDIVISIONS OF THE
16 STATE FROM REQUIRING MORE THAN FEDERAL OR
17 STATE REQUIREMENTS FROM EMPLOYERS.
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20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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22 SECTION 1. DO NOT CODIFY. Legislative intent.

23 The General Assembly finds that:

24 (1)(A) Arkansas employers are best able to grow and invest in
25 their communities when operating under a clear, consistent regulatory system
26 that imposes only those burdens absolutely necessary to promote the public
27 welfare.

28 (B) Allowing localities to mandate employer-provided
29 benefits would create a patchwork of local regulations discouraging employers
30 from growing and investing and imposing significant compliance burdens on
31 them; and

32 (C) Furthermore, locally mandated benefits frustrate the
33 General Assembly's goal of a thriving statewide economy and place Arkansas
34 employers at a competitive disadvantage to employers in other states not
35 burdened with unnecessary local regulations; and

36 (2) Preemption of burdensome and unnecessary local government



1 mandates on employers to provide employee benefits provides a stable
2 environment for Arkansas employers and promotes economic development.

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4 SECTION 2. Arkansas Code Title 11, Chapter 4, Subchapter 2, is amended
5 to add an additional section to read as follows:

6 11-4-221. Political subdivisions prohibited from requiring more than
7 federal or state requirements from employers - Definitions.

8 (a) As used in this section:

9 (1) "Employee" means an individual employed in this state by an
10 employer;

11 (2)(A) "Employer" means an individual, sole proprietorship,
12 partnership, limited liability company, corporation, or other entity that
13 does business in this state.

14 (B) However, "employer" does not include a public
15 employer;

16 (3) "Employment benefit" means anything of value that an
17 employee may receive from an employer in addition to wages and salary,
18 including without limitation:

19 (A) Health, disability, retirement, profit-sharing, and
20 death benefits;

21 (B) Group accidental death and dismemberment benefits;

22 (C) Paid or unpaid days off from work for holidays, sick
23 leave, vacation, and personal necessity; and

24 (D) Terms of employment, notice of scheduling, attendance,
25 or leave policies;

26 (4) "Political subdivision" means a county, city, or town in
27 this state; and

28 (5) "Public employer" means the State of Arkansas and each
29 political subdivision of the state.

30 (b) A political subdivision shall not establish, mandate, or otherwise
31 require an employer to provide to an employee a minimum or living wage rate
32 or employment benefit
33 that exceeds the requirements of federal laws or regulations or state laws or
34 rules.

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36 SECTION 3. DO NOT CODIFY. Applicability.

