

117TH CONGRESS
2D SESSION

S. 4092

To amend the Fair Labor Standards Act of 1938 to exempt certain employees engaged in outdoor recreational outfitting or guiding services from maximum hours requirements.

IN THE SENATE OF THE UNITED STATES

APRIL 27, 2022

Mr. DAINES (for himself and Ms. SINEMA) introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

A BILL

To amend the Fair Labor Standards Act of 1938 to exempt certain employees engaged in outdoor recreational outfitting or guiding services from maximum hours requirements.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. EXEMPTION WITH RESPECT TO CERTAIN EM-**
2 **PLOYEES ENGAGED IN OUTDOOR REC-**
3 **REATIONAL OUTFITTING OR GUIDING SERV-**
4 **ICES.**

5 Section 13(b) of the Fair Labor Standards Act of
6 1938 (29 U.S.C. 213(b)) is amended by inserting after
7 paragraph (3) the following:

8 “(4) any employee principally engaged in out-
9 door recreational outfitting or guiding services and
10 employed by an employer principally engaged in the
11 business of providing such outfitting or guiding serv-
12 ices that—

13 “(A) does not operate for more than seven
14 months in any calendar year; or

15 “(B) had average receipts for any six
16 months of the preceding calendar year that
17 were not more than $33\frac{1}{3}$ per centum of its av-
18 erage receipts for the other six months of such
19 year; or”.

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