

H.331

Introduced by Representatives Masland of Thetford, Briglin of Thetford,

Clarkson of Woodstock, and McCormack of Burlington

Referred to Committee on

Date:

Subject: Labor; workers' compensation; officers and sole proprietors

Statement of purpose of bill as introduced: This bill proposes to provide for

purposes of workers' compensation insurance, that a person shall not be

considered the employer of a sole proprietor, a partner owner of an

unincorporated business, or an exempt officer of a corporation or L.L.C. if the

person contracts with the sole proprietor, unincorporated business, corporation,

or L.L.C.

An act relating to workers' compensation

It is hereby enacted by the General Assembly of the State of Vermont:

Sec. 1. 21 V.S.A. § 601 is amended to read:

§ 601. DEFINITIONS

Unless the context otherwise requires, words and phrases used in this
chapter shall be construed as follows:

* * *

(B) A person is shall not be deemed to be an “employer” for the purposes of this chapter with respect to the following individuals:

(ii) An officer, member, or manager of a corporation or limited liability company that has elected to exclude the officer, member, or manager from the coverage requirements under this chapter pursuant to subdivision 14(H) of this section and has contracted with the person, regardless of whether the services or labor contracted for are a part of, or process in the trade, business, or occupation of the person.

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(v)(iv) The individual is not treated as an employee for purposes of income or employment taxation with regard to the work performed.

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This act shall take effect on July 1, 2015.