

**Sen. Economic Development, Housing & General Affairs**

**S.220**

Jan. 22, 2014

Summary of Bill Sections & Organization  
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Sec. 1. Findings (pages 1-2)

Sec. 2. Workers Compensation (pages 2-6)

- Adds definition of “independent contractor” within 21 V.S.A. § 601 (p. 4 - 5).
- Definitions of “worker” and “employee” do not include certain groups under § 601(14), including new definition of independent contractor.
- See section 6.

Sec. 3. Penalty for False Representation (page 6)

Sec. 4. Unemployment Compensation (pages 6-10)

- 21 V.S.A. § 1301(B) (definitions), removes A, B, C test in current law, in particular service outside usual course of business element, and replaces with “specifically excluded” language (p. 8-9).
- Adds new language defining “independent contractor,” which would be excluded from definition of “employment,” and therefore not entitled to unemployment insurance.
- See section 6.

Sec. 5. False Statements to Avoid Unemployment Obligations

Sec. 6. Sole or Independent Contractor Authorization Process (pages 10-19)

- Creates new Chapter 23 within Title 21 defining terms and establishing process for Dept. of Labor to authorize sole contractors.
- If authorized as sole contractor, can operate “independently without the benefits and protections” under chapters 9 (worker’s compensation) and 17 (unemployment compensation).

Sec. 7. Tourism Funding (page 19)

Sec. 8. Legacy Insurance Transfers (pages 20-42)

- Based on H.198 (LIMA): House passed last year, Sen. Finance recently voted out, now in Sen. Appropriations.