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I N   A S S E M B L Y

June 16, 2014

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Introduced by COMMITTEE ON RULES -- (at request of M. of A. Titone) --  
read once and referred to the Committee on Labor

AN ACT to amend the workers' compensation law, relating to the definition of employee

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1     Section 1. The fourth undesignated paragraph of subdivision 4 of  
2     section 2 of the workers' compensation law, as added by chapter 903 of  
3     the laws of 1986, is amended to read as follows:  
4     "Employee" shall also mean, for purposes of this chapter ONLY, AND NOT  
5     FOR THE PURPOSES OF ANY OTHER PROVISION OR STATUTE DEPENDENT UPON THE  
6     DEFINITION OF EMPLOYEE, a professional musician or a person otherwise  
7     engaged in the performing arts who performs services as such for a tele-  
8     vision or radio station or network, a film production, a theatre, hotel,  
9     restaurant, night club or similar establishment unless, by written  
10    contract, such musician or person is stipulated to be an employee of  
11    another employer covered by this chapter, OR EXEMPT FROM THE REQUIREMENT  
12    OF COVERAGE BECAUSE THE MUSICIAN OR PERSON IS AN EXECUTIVE OFFICER OF A  
13    CORPORATION WHO IS DEEMED EXCLUDED FROM COVERAGE UNDER PARAGRAPHS (C)  
14    AND E OF SUBDIVISION SIX OF SECTION FIFTY-FOUR OF THIS CHAPTER.  
15    "Engaged in the performing arts" shall mean performing service in  
16    connection with the production of or performance in any artistic endeavor  
17    or which requires artistic or technical skill or expertise.  
18    S 2. This act shall take effect immediately and shall apply to all  
19    cases, matters or proceedings pending on such date, or which have not  
20    been finally adjudicated on such date or commenced on or after such  
21    date.

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets  
[ ] is old law to be omitted.

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