

1853--A

Cal. No. 1105

2015-2016 Regular Sessions

I N S E N A T E

January 15, 2015

Introduced by Sens. LITTLE, AMEDORE, CROCI, GALLIVAN, MARCHIONE, ORTT, RANZENHOFER, RITCHIE -- read twice and ordered printed, and when printed to be committed to the Committee on Labor -- reported favorably from said committee, ordered to first and second report, ordered to a third reading, amended and ordered reprinted, retaining its place in the order of third reading

AN ACT to amend the labor law, in relation to exempting agricultural employers from paying for unemployment benefits for federally ineligible farm labor

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

1 Section 1. Subdivision 2 of section 564 of the labor law is renumbered
2 subdivision 3 and a new subdivision 2 is added to read as follows:
3 2. EXCLUSION FROM COVERAGE. THE TERM "EMPLOYMENT" SHALL NOT INCLUDE
4 SERVICES RENDERED BY AN INDIVIDUAL WHO IS AN ALIEN ADMITTED TO THE
5 UNITED STATES TO PERFORM AGRICULTURAL LABOR PURSUANT TO SECTIONS 214(C)
6 AND 101(A)(15)(H) OF THE FEDERAL IMMIGRATION AND NATIONALITY ACT IF, AT
7 THE TIME SUCH SERVICES ARE RENDERED, THEY ARE EXCLUDED FROM THE DEFINITION
8 OF EMPLOYMENT IN SECTION 3306(C) OF THE FEDERAL UNEMPLOYMENT TAX
9 ACT.
10 S 2. This act shall take effect immediately.

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

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