

4402

2015-2016 Regular Sessions

I N S E N A T E

March 18, 2015

Introduced by Sen. MARTINS -- read twice and ordered printed, and when printed to be committed 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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