STATE OF NEW YORK

4028

2017-2018 Regular Sessions

IN ASSEMBLY

January 30, 2017

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Introduced by M. of A. TITONE -- read once and referred to the Committee on Labor

AN ACT to exclude certain musicians or persons who had a work-related accident on December 17, 2011 who are an executive officer of a corporation who contracts for the musician or person's services from the definition of employee for purposes of the workers' compensation law; and providing for the expiration of such provisions

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1   Section 1. Notwithstanding the fourth undesignated paragraph of subdi-
2 vision 4 of section 2 of the workers' compensation law or any other
3 provision of law to the contrary, for purposes of the workers' compen-
4 sation law, the term "employee" shall not include a musician or person
5 who is an executive officer of a corporation who contracts for the musi-
6 cian or person's services, and who if not a musician or person otherwise
7 engaged in performing arts would be deemed excluded from coverage under
8 paragraphs (c) and e of subdivision 6 of section 54 of the workers'
9 compensation law and who is not a musician or officer who elects to be
10 covered under paragraphs (c) and e of subdivision 6 of section 54 of the
11 workers' compensation law and who has a date of workplace accident on
12 December 17, 2011 and whereby there is no workers' compensation claim
13 established as compensable by the workers' compensation board that was
14 filed by the musician or person for such accident.
15   § 2. This act shall take effect immediately and shall only apply to
16 any cases, matters or proceedings pending on such date, or which have
17 not been finally adjudicated on such date; provided, however, that this
18 act shall expire two years after such effective date; and provided
19 further that the expiration of this act shall not apply to any case,
20 matter, or proceeding authorized by this act which has not been finally
21 adjudicated on or before such expiration date.

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