

# STATE OF NEW YORK

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5341

2021-2022 Regular Sessions

## IN SENATE

March 2, 2021

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Introduced by Sen. STEC -- read twice and ordered printed, and when printed to be committed to the Committee on Labor

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, as amended  
2 by chapter 105 of the laws of 2019, is amended to read as follows:

3 2. Exclusion from coverage. For purposes of this section the term  
4 "employment" shall not include services rendered by an individual who is  
5 admitted to the United States to perform agricultural labor pursuant to  
6 8 USC 1188 or an individual who is an alien admitted to the United  
7 States to perform agricultural labor pursuant to sections 214(c) and  
8 101(a)(15)(H) of the Federal Immigration and Nationality Act and if, at  
9 the time such services are rendered, they are excluded from the defi-  
10 nition of employment in section 3306(c) of the Federal Unemployment Tax  
11 Act.

12 § 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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