

# STATE OF NEW YORK

9998

## IN SENATE

April 21, 2026

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

AN ACT to amend the workers' compensation law, in relation to exempting unpaid student interns from coverage under workers' compensation

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

1 Section 1. Group 18 of subdivision 1 of section 3 of the workers'  
2 compensation law, as amended by chapter 260 of the laws of 1972, is  
3 amended to read as follows:  
4 Group 18. All other employments, except persons engaged in a teaching  
5 or nonmanual capacity in or for a religious, charitable or educational  
6 institution, notwithstanding the definition of employment in subdivision  
7 five of section two, not hereinbefore enumerated, carried on by any  
8 person, firm or corporation in which there are engaged or employed one  
9 or more employees regularly, in the same business or in or about the  
10 same establishment either upon the premises or at the plant or away from  
11 the plant of the employer, under any contract of hire, express or  
12 implied, oral or written, except farm laborers and domestics other than  
13 those within the coverage of this chapter pursuant to groups fourteen-b  
14 and twelve respectively of this subdivision, unless the employer has  
15 elected to bring such employees under the law by securing compensation  
16 in accordance with the terms of section fifty of this chapter and  
17 persons engaged in voluntary service not under contract of hire. A duly  
18 ordained, commissioned or licensed minister, priest or rabbi, a sexton,  
19 a christian science reader, or a member of a religious order, shall not  
20 be deemed to be employed or engaged in employment under the terms of  
21 this section. Recipients of charitable aid from a religious or charita-  
22 ble institution who perform work in or for the institution which is  
23 incidental to or in return for the aid conferred, and not under any  
24 express contract of hire, shall not be deemed to be employed or engaged  
25 in employment under the terms of this section. All persons who are  
26 members of a supervised amateur athletic activity operated on a non-pro-  
27 fit basis shall not be deemed to be employed or engaged in employment  
28 under the terms of this section, provided that said members are not also

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

LBD15625-01-6

1 otherwise engaged or employed by any person, firm or corporation partic-  
2 ipating in said athletic activity. The terms "religious, charitable or  
3 educational institution" mean a corporation, unincorporated association,  
4 community chest, fund or foundation organized and operated exclusively  
5 for religious, charitable or educational purposes, no part of the net  
6 earnings of which inure to the benefit of any private shareholder or  
7 individual. Unpaid student interns shall not be deemed to be employed or  
8 engaged in employment under the terms of this section. The term "student  
9 intern" means an individual that is enrolled in an educational program  
10 at a public or non-public secondary school, charter school, or board of  
11 cooperative educational services that participates in an unpaid intern-  
12 ship, externship, or other similar program that is primarily for educa-  
13 tional and/or training purposes.

14 § 2. This act shall take effect immediately.