



# UTAH STATE SENATE

UTAH STATE CAPITOL COMPLEX • 320 STATE CAPITOL  
P.O. BOX 145115 • SALT LAKE CITY, UTAH 84114-5115 • (801) 538-1035

## NOTICE OF BILL RETURNED TO THE RULES COMMITTEE

March 2, 2011

Mr. President:

The Business and Labor Committee has returned **1st Sub. H.B. 61**, HOME BUSINESS WORKERS' COMPENSATION AMENDMENTS, by Representative R. Barrus, to the Rules Committee without recommendation with the following amendments:

1. *Page 1, Lines 14 through 18:*

- 14       ▶ defines terms;
- 15       ▶ provides that a home business is not considered an employer of an owner's
- 16       { ~~immediate family member~~ } spouse for purposes of workers' compensation if
- certain
- 17       conditions are met; and
- 18       ▶ makes technical and conforming amendments.

2. *Page 4, Line 112 through Page 5, Line 126:*

- 112       (6) (a) As used in this Subsection (6):
- 113       (i) "Hazardous work" means a hazardous occupation as defined in Section
- 34-23-103.
- 114       (ii) "Home business" means a business that is primarily conducted at the primary
- 115       residence of an owner of the business.
- 116       { ~~(iii) "Immediate family member" means an individual's:~~
- 117       — (A) spouse; or
- 118       — (B) child who lives in the individual's primary residence and who is claimed by

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the

119 individual as a dependent under Section 151, Internal Revenue Code. }

120 {~~(iv)~~} (iii) "Primary residence" means:

121 (A) a dwelling used by an individual as the home at which the individual regularly  
122 resides, regardless of whether the dwelling is owned or rented, or is a single-family dwelling or  
123 part of a multi-family dwelling;

124 (B) so much of the land surrounding the dwelling described in Subsection

(6)(a) {~~(iv)~~} (iii) (A)

125 as is reasonably necessary for use of the dwelling; and

126 (C) any improvement on the land described in Subsection (6)(a) {~~(iv)~~} (iii) (B).

3. *Page 5, Lines 127 through 131:*

127 (b) For purposes of this chapter and Chapter 3, Utah Occupational Disease Act, a  
home

128 business is not considered an employer of an individual who is:

129 (i) {~~an immediate family member~~} the spouse of an owner of the home  
business; and

130 (ii) employed by the home business to engage in business activities that:

131 (A) do not constitute hazardous work; and

4. *Page 5, Lines 133 through 137:*

133 (6)(b)(i).

134 [~~(6)~~] (7) An employer of [~~agricultural laborers or domestic servants~~] an agricultural

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135 laborer, domestic servant, or home business owner's { immediate family  
member } spouse , who is not  
136 considered an employer under this chapter and Chapter 3, Utah Occupational Disease Act,  
may  
137 come under this chapter and Chapter 3, Utah Occupational Disease Act, by complying  
with:

Respectfully,

John L. Valentine  
Committee Chair

Voting: --

14 HB0061.SC1.WPD 3/2/11 9:41 am /BRH PO/BRH

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