

1st Sub. H.B. 61

HOME BUSINESS WORKERS' COMPENSATION AMENDMENTS

SENATE COMMITTEE AMENDMENTS

AMENDMENT 1

FEBRUARY 25, 2011 3:08 PM

Senator _____ proposes 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 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
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: