

House Bill 2643

Sponsored by Representative ROBLAN (Pre-session filed.)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Includes cousins in definition of "members of the same family" for purposes of family business exclusion from definition of "employment" in unemployment insurance statutes.

Declares emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to the definition of employment; creating new provisions; amending ORS 657.044; and de-
3 claring an emergency.

4 **Be It Enacted by the People of the State of Oregon:**

5 **SECTION 1.** ORS 657.044 is amended to read:

6 657.044. (1) As used in this chapter, "employment" does not include service performed for:

7 (a) A corporation by corporate officers who are directors of the corporation, who have a sub-
8 stantial ownership interest in the corporation and who are members of the same family if the cor-
9 poration elects not to provide coverage for those individuals. The election [*shall*] **must** be in
10 writing and [*shall be*] **is** effective on the first day of the current calendar quarter or of the calendar
11 quarter preceding the calendar quarter in which the request [*was*] **is** submitted.

12 (b) A limited liability company by a member, including members who are managers, as defined
13 in ORS 63.001.

14 (c) A limited liability partnership by a partner as described in ORS chapter 67.

15 (2) The provisions of this section do not apply to service performed for:

16 (a) A nonprofit employing unit;

17 (b) This state;

18 (c) A political subdivision of this state; or

19 (d) An Indian tribe.

20 (3) As used in this section, "members of the same family" means persons who are members of
21 a family as parents, stepparents, grandparents, spouses, sons-in-law, daughters-in-law, brothers, sis-
22 ters, children, stepchildren, adopted children [*or*], grandchildren **or cousins of any degree whether**
23 **related by blood, adoption or marriage.**

24 **SECTION 2.** The amendments to ORS 657.044 by section 1 of this 2011 Act apply to service
25 performed on or after the effective date of this 2011 Act.

26 **SECTION 3.** This 2011 Act being necessary for the immediate preservation of the public
27 peace, health and safety, an emergency is declared to exist, and this 2011 Act takes effect
28 on its passage.
29

NOTE: Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted. New sections are in **boldfaced** type.