House Bill 3360

Sponsored by Representative HELFRICH; Representatives BOICE, HIEB, JAVADI

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 first cousins as members of same family for purposes of exclusion from definition of "employment" under unemployment insurance law.

A BILL FOR AN ACT

Relating to service performed for members of the same family; amending ORS 657.044.

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

SECTION 1. ORS 657.044 is amended to read:

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

(a) A corporation by corporate officers who:

(A) Are directors of the corporation;

(B) Have a substantial ownership interest in the corporation; and

(C) Are members of the same family.

(b) A corporation by an individual who is the sole corporate officer and director of the corporation and who has a substantial ownership interest in the corporation.

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

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

(2)(a) The exclusion under subsection (1)(a) or (b) of this section is effective only if the corporation elects not to provide coverage for the individuals described respectively in subsection (1)(a) or (b) of this section.

(b) The election must be in writing and is effective on the first day of the current calendar quarter or, upon request, on the first day of the calendar quarter preceding the calendar quarter in which the request is submitted.

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

(a) A nonprofit employing unit;

(b) This state;

(c) A political subdivision of this state; or

(d) An Indian tribe.

(4) As used in this section, "members of the same family" means persons who are members of a family as parents, stepparents, grandparents, spouses, sons-in-law, daughters-in-law, brothers, sisters, children, stepchildren, adopted children, [or] grandchildren or first cousins.

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.

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