

SENATE FILE NO. SF0006

Real estate exemption restoration.

Sponsored by: Joint Labor, Health & Social Services Interim Committee

A BILL

for

1 AN ACT relating to worker's compensation and unemployment
2 insurance; exempting real estate professionals from
3 coverage as specified; and providing for an effective date.

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5 *Be It Enacted by the Legislature of the State of Wyoming:*

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7 **Section 1.** W.S. 27-3-108(a)(v) and 27-14-102(a)(vii)
8 by creating a new subparagraph (S) are amended to read:

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10 **27-3-108. Services excluded from scope of employment.**

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12 (a) Employment under this act does not include
13 service performed:

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1 (v) As real estate activity under W.S.
2 33-28-102(b)(xlv) by a ~~licensed real estate~~ responsible
3 broker, ~~associate broker~~ or ~~salesman receiving as sole~~
4 ~~compensation a commission based on the sale or rental of~~
5 ~~real estate~~ salesperson licensed under the Real Estate
6 License Act, W.S. 33-28-101 through 33-28-401;

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8 **27-14-102. Definitions.**

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10 (a) As used in this act:

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12 (vii) "Employee" means any person engaged in any
13 extrahazardous employment under any appointment, contract
14 of hire or apprenticeship, express or implied, oral or
15 written, and includes legally employed minors, aliens
16 authorized to work by the United States department of
17 justice, office of citizenship and immigration services,
18 and aliens whom the employer reasonably believes, at the
19 date of hire and the date of injury based upon
20 documentation in the employer's possession, to be
21 authorized to work by the United States department of
22 justice, office of citizenship and immigration services.

23 "Employee" does not include:

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(S) A responsible broker, associate broker or salesperson licensed under the Real Estate License Act, W.S. 33-28-101 through 33-28-401, who receives compensation for the services identified in W.S. 33-28-102(b)(xlv). The receipt of additional compensation for the performance of other real estate related services shall not negate this exemption.

Section 2. This act is effective July 1, 2018.

(END)