

HOUSE COMMITTEE OF REFERENCE REPORT

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Chair of Committee

\_\_\_\_\_  
Date

April 2, 2019

Committee on Judiciary.

After consideration on the merits, the Committee recommends the following:

HB19-1267 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

- 1 Amend printed bill, page 4, line 10, strike "employer in which the" and
- 2 substitute "employer. ~~in which the employer may command when, where,~~
- 3 ~~and how much labor or services shall be performed.~~ For the purpose of
- 4 this ~~article~~, ARTICLE 4, RELEVANT FACTORS IN DETERMINING WHETHER A
- 5 PERSON IS AN EMPLOYEE INCLUDE THE DEGREE OF CONTROL THE
- 6 EMPLOYER MAY OR DOES EXERCISE OVER THE PERSON AND THE DEGREE
- 7 TO WHICH THE PERSON PERFORMS WORK THAT IS THE PRIMARY WORK OF
- 8 THE EMPLOYER; EXCEPT THAT".
  
- 9 Page 4, strike lines 11 through 13.
  
- 10 Page 4, line 14, strike "ARTICLE 4,".
  
- 11 Page 4, line 19, strike "INDIVIDUAL,".
  
- 12 Page 4, strike lines 25 and 26, and substitute "PERSON ACTING DIRECTLY
- 13 OR INDIRECTLY IN".
  
- 14 Page 6, line 7, after "**penalty.**" insert "(1)".
  
- 15 Page 6, line 11, strike "WILLFULLY," and substitute "INTENTIONALLY,".
  
- 16 Page 6, after line 18, insert:
- 17 "(2) FOR THE PURPOSE OF THIS SECTION, THE AMOUNT OF THE

1 THEFT IS THE UNPAID BALANCE OF THE FULL AMOUNT OF THE MINIMUM  
2 WAGE, AS DESCRIBED IN SECTION 8-6-118."

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