

FIRST REGULAR SESSION
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 201
99TH GENERAL ASSEMBLY

Reported from the Committee on Government Reform, March 2, 2017, with recommendation that the Senate Committee Substitute do pass.

0817S.02C

ADRIANE D. CROUSE, Secretary.

AN ACT

To amend chapter 285, RSMo, by adding thereto one new section relating to the employer-employee relationship.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Chapter 285, RSMo, is amended by adding thereto one new
2 section, to be known as section 285.075, to read as follows:

**285.075. 1. Notwithstanding any voluntary agreement entered
2 into between the United States Department of Labor and a franchisee
3 or a franchisor, neither a franchisee nor a franchisee's employee shall
4 be deemed to be an employee of the franchisor for any purpose, unless
5 the franchisor exercises direct and immediate control over the
6 franchisee. Such control shall be found only when the franchisor
7 exercises direct and immediate control over the hiring, termination,
8 discipline, and direction of the franchisee's employees.**

9 **2. For purposes of this section, the terms "franchisee" and
10 "franchisor" shall have the same meaning as in 16 C.F.R. 436.1.**

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