

FIRST REGULAR SESSION
[P E R F E C T E D]
SENATE SUBSTITUTE FOR

SENATE BILL NO. 38

100TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR ONDER.

Offered February 12, 2019.

Senate Substitute adopted February 12, 2019.

Taken up for Perfection February 12, 2019. Bill declared Perfected and Ordered Printed.

ADRIANE D. CROUSE, Secretary.

0221S.03P

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 hiring,
6 termination, discipline, and direction of the franchisee's employees.**

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

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