

ORIGINAL SENATE
FILE NO. SF0006

ENROLLED ACT NO. 5, SENATE

SIXTY-FOURTH LEGISLATURE OF THE STATE OF WYOMING
2018 BUDGET SESSION

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

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

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

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

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

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

27-14-102. Definitions.

(a) As used in this act:

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

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justice, office of citizenship and immigration services.
"Employee" does not include:

(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)

Speaker of the House

President of the Senate

Governor

TIME APPROVED: _____

DATE APPROVED: _____

I hereby certify that this act originated in the Senate.

Chief Clerk