

House \_\_\_\_\_ Amendment NO. \_\_\_\_\_

Offered By

1 AMEND House Committee Substitute for House Bill No. 1955, Page 1, Section A, Line 3, by inserting after  
2 all of said section and line the following:

3  
4 "287.037. 1. Notwithstanding any other provision of law to the contrary, beginning January 1,  
5 1997, those insurance companies providing coverage pursuant to chapter 287, to a limited liability company,  
6 as defined in section 347.015, shall provide coverage for the employees of the limited liability company who  
7 are not members of the limited liability company. Members of the limited liability company, as defined in  
8 section 347.015, shall also be provided coverage pursuant to chapter 287, but such members may  
9 individually elect to reject such coverage by providing a written notice of such rejection on a form developed  
10 by the department of insurance, financial institutions and professional registration to the limited liability  
11 company and its insurer. Failure to provide notice to the limited liability company shall not be grounds for  
12 any member to claim that the rejection of such coverage is not legally effective. A member who elects to  
13 reject such coverage shall not thereafter be entitled to workers' compensation benefits under the policy, even  
14 if serving or working in the capacity of an employee of the limited liability company, at least until such time  
15 as said member provides the limited liability company and its insurer with a written notice which rescinds  
16 the prior rejection of such coverage. The written notice which rescinds the prior rejection of such coverage  
17 shall be on a form developed by the department of insurance, financial institutions and professional  
18 registration. Any rescission shall be prospective in nature and shall entitle the member only to such benefits  
19 which accrue on or after the date the notice of rescission form is received by the insurance company.

20 2. Notwithstanding any other provision of law to the contrary, beginning January 1, 2017, a  
21 shareholder of an S corporation, as defined in subsection 1 of section 143.471, with at least forty percent or  
22 greater interest in the S corporation, may individually elect to reject coverage under this chapter by providing  
23 a written notice of such rejection to the S corporation and its insurer. Failure to provide notice to the S  
24 corporation shall not be grounds for any shareholder to claim that the rejection of such coverage is not  
25 legally effective. A shareholder who elects to reject such coverage shall not thereafter be entitled to workers'  
26 compensation benefits under the policy, even if serving or working in the capacity of an employee of the S  
27 corporation, at least until such time as such shareholder provides the S corporation and its insurer with a  
28 written notice that rescinds the prior rejection of such coverage. Any rescission shall be prospective in nature  
29 and shall entitle the shareholder only to such benefits that accrue on or after the date the notice of rescission  
30 is received by the insurance company."; and

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32  
33 Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Standing Action Taken \_\_\_\_\_ Date \_\_\_\_\_

Select Action Taken \_\_\_\_\_ Date \_\_\_\_\_