

FIRST REGULAR SESSION

HOUSE BILL NO. 337

98TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE MCGAUGH.

0866H.011

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To repeal section 287.030, RSMo, and to enact in lieu thereof one new section relating to employer requirements relating to employee benefits.

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

Section A. Section 287.030, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 287.030, to read as follows:

287.030. 1. The word "employer" as used in this chapter shall be construed to mean:

(1) Every person, partnership, association, corporation, limited liability partnership or company, trustee, receiver, the legal representatives of a deceased employer, and every other person, including any person or corporation operating a railroad and, any public service corporation, using the service of another for pay;

(2) The state, county, municipal corporation, township, school or road, drainage, swamp and levee districts, or school boards, board of education, regents, curators, managers or control commission, board or any other political subdivision, corporation, or quasi-corporation, or cities under special charter, or under the commission form of government;

(3) Any of the above-defined employers must have five or more employees to be deemed an employer for the purposes of this chapter unless election is made to become subject to the provisions of this chapter as provided in subsection 2 of section 287.090, except that **employers in the following industries** [construction industry employers who erect, demolish, alter or repair improvements] shall be deemed an employer for the purposes of this chapter if they have one or more employees:

(a) **Healthcare and social assistance activities classified as NAICS 62;**

(b) **Manufacturing activities classified as NAICS 31-33;**

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

- 18 **(c) Retail trade activities classified as NAICS 44-45;**
- 19 **(d) Transportation and warehousing activities classified as 48-49;**
- 20 **(e) Construction activities classified as NAICS 23;**
- 21 **(f) Surveying and mapping services activities classified as NAICS 541370;**
- 22 **(g) Geophysical surveying and mapping services activities classified as NAICS**
- 23 **541360; and**
- 24 **(h) Engineering services activities classified as NAICS 541330.**

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26 An employee who is a member of the employer's family within the third degree of affinity or
27 consanguinity shall be counted in determining the total number of employees of such employer.

28 2. Any reference to the employer shall also include his or her insurer or group self-
29 insurer.

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