

House Bill 3360

Sponsored by Representative HELFRICH; Representatives BOICE, HIEB, JAVADI

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Includes first cousins as members of same family for purposes of exclusion from definition of "employment" under unemployment insurance law.

A BILL FOR AN ACT

1
2 Relating to service performed for members of the same family; amending ORS 657.044.

3 **Be It Enacted by the People of the State of Oregon:**

4 **SECTION 1.** ORS 657.044 is amended to read:

5 657.044. (1) As used in this chapter, "employment" does not include service performed for:

6 (a) A corporation by corporate officers who:

7 (A) Are directors of the corporation;

8 (B) Have a substantial ownership interest in the corporation; and

9 (C) Are members of the same family.

10 (b) A corporation by an individual who is the sole corporate officer and director of the corpo-
11 ration and who has a substantial ownership interest in the corporation.

12 (c) A limited liability company by a member, including members who are managers, as defined
13 in ORS 63.001.

14 (d) A limited liability partnership by a partner as described in ORS chapter 67.

15 (2)(a) The exclusion under subsection (1)(a) or (b) of this section is effective only if the corpo-
16 ration elects not to provide coverage for the individuals described respectively in subsection (1)(a)
17 or (b) of this section.

18 (b) The election must be in writing and is effective on the first day of the current calendar
19 quarter or, upon request, on the first day of the calendar quarter preceding the calendar quarter in
20 which the request is submitted.

21 (3) The provisions of this section do not apply to service performed for:

22 (a) A nonprofit employing unit;

23 (b) This state;

24 (c) A political subdivision of this state; or

25 (d) An Indian tribe.

26 (4) As used in this section, "members of the same family" means persons who are members of
27 a family as parents, stepparents, grandparents, spouses, sons-in-law, daughters-in-law, brothers, sis-
28 ters, children, stepchildren, adopted children, [or] grandchildren **or first cousins**.

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NOTE: Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted. New sections are in **boldfaced** type.