

HOUSE BILL NO. 120

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-NINTH LEGISLATURE - FIRST SESSION

BY REPRESENTATIVES SADDLER, Tilton, Reinbold

Introduced: 2/20/15

Referred: Labor and Commerce

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to workers' compensation and transportation network companies; and**
2 **providing for an effective date."**

3 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

4 *** Section 1.** AS 23.30.230(a) is amended to read:

5 (a) The following persons are not covered by this chapter:

6 (1) a part-time baby-sitter;

7 (2) a cleaning person;

8 (3) harvest help and similar part-time or transient help;

9 (4) a person employed as a sports official on a contractual basis and
10 who officiates only at sports events in which the players are not compensated; in this
11 paragraph, "sports official" includes an umpire, referee, judge, scorekeeper,
12 timekeeper, organizer, or other person who is a neutral participant in a sports event;

13 (5) a person employed as an entertainer on a contractual basis;

14 (6) a commercial fisherman, as defined in AS 16.05.940;

1 (7) an individual who drives a taxicab whose compensation and written
 2 contractual arrangement is as described in AS 23.10.055(a)(13), unless the hours
 3 worked by the individual or the areas in which the individual may work are restricted
 4 except to comply with local ordinances;

5 (8) a participant in the Alaska temporary assistance program
 6 (AS 47.27) who is engaged in work activities required under AS 47.27.035 other than
 7 subsidized or unsubsidized work or on-the-job training;

8 (9) a person employed as a player or coach by a professional hockey
 9 team if the person is covered under a health care insurance plan provided by the
 10 professional hockey team, the coverage is applicable to both work related and
 11 nonwork related injuries, and the coverage provides medical and related benefits as
 12 required under this chapter, except that coverage may not be limited to two years from
 13 the date of injury as described under AS 23.30.095(a); in this paragraph, "health care
 14 insurance" has the meaning given in AS 21.12.050; [AND]

15 (10) a person working as a qualified real estate licensee who performs
 16 services under a written contract that provides that the person will not be treated as an
 17 employee for federal income tax or workers' compensation purposes; in this
 18 paragraph, "qualified real estate licensee" means a person who is required to be
 19 licensed under AS 08.88.161 and whose payment for services is directly related to
 20 sales or other output rather than the number of hours worked; **and**

21 **(11) a person who operates a motor vehicle that is**

22 **(A) owned, leased, or authorized for use by the person;**

23 **(B) not a taxicab described under (7) of this subsection; and**

24 **(C) used to provide transportation network company**
 25 **services under an agreement with a transportation network company; a**
 26 **person is performing transportation network company services under this**
 27 **subparagraph when the person accepts a request for transportation**
 28 **received through the transportation network company's digital network**
 29 **or software application, continues while the person transports the**
 30 **passenger in the person's vehicle, and ends when the passenger exits the**
 31 **person's vehicle.**

1 * **Sec. 2.** AS 23.30.230(c) is amended by adding new paragraphs to read:

2 (4) "transportation network company" means an entity that uses a
3 digital network or software application to connect passengers to transportation
4 network company services provided by transportation network company-endorsed
5 drivers;

6 (5) "transportation network company services" means transportation of
7 a passenger between points chosen by the passenger and prearranged with a
8 transportation network company-endorsed driver through the use of a transportation
9 network company's digital network or software application.

10 * **Sec. 3.** The uncodified law of the State of Alaska is amended by adding a new section to
11 read:

12 **APPLICABILITY.** Sections 1 and 2 of this Act apply to all claims or proceedings
13 pending on or after the effective date of this Act relating to acts or injuries occurring before,
14 on, or after the effective date of this Act.

15 * **Sec. 4.** The uncodified law of the State of Alaska is amended by adding a new section to
16 read:

17 **RETROACTIVITY.** Sections 1 - 3 of this Act are retroactive to January 1, 2014.

18 * **Sec. 5.** This Act takes effect immediately under AS 01.10.070(c).