

# SENATE AMENDMENT NO. \_\_\_\_\_

Offered by \_\_\_\_\_ of \_\_\_\_\_

Amend SS/Senate Bill No. 78, Page 3, Section 213.070, Line 43,

2 by inserting after all of said line the following:

3 "285.075. 1. Notwithstanding any voluntary agreement  
4 entered into between the United States Department of Labor  
5 and a franchisee or a franchisor, neither a franchisee nor a  
6 franchisee's employee shall be deemed to be an employee of  
7 the franchisor for any purpose, unless the franchisor  
8 exercises direct and immediate control over the hiring,  
9 termination, discipline, and direction of the franchisee's  
10 employees.

11 2. For purposes of this section, the terms  
12 "franchisee" and "franchisor" shall have the same meaning as  
13 in 16 C.F.R. 436.1."; and

14 Further amend the title and enacting clause accordingly.