

1 HB390
2 183690-2
3 By Representative Carns
4 RFD: Commerce and Small Business
5 First Read: 09-MAR-17

1 ENGROSSED

2
3
4 A BILL
5 TO BE ENTITLED
6 AN ACT
7

8 Relating to franchises; to provide that certain
9 categories of persons working for a franchisee may not be
10 deemed to be employees of the franchisor of the franchisee.

11 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

12 Section 1. (a) This act shall be known as the
13 Franchise Business Protection Act.

14 (b) For purposes of this act, the terms "franchisee"
15 and "franchisor" have the same meaning as defined in 16 C.F.R.
16 § 436.1.

17 (c) Except as provided in a voluntary agreement
18 entered into between the United States Department of Labor and
19 a franchisor, the following persons may not be deemed or
20 construed to be employees of a franchisor:

21 (1) A franchisee.

22 (2) An employee of a franchisee.

23 (3) An independent contractor working for a
24 franchisee.

25 ~~(d) To the extent that this section does not~~
26 ~~conflict with federal law, this section shall apply to both of~~
27 ~~the following:~~

1 (d) To the extent that this section does not
2 conflict with federal law, this section shall only apply to
3 the following:

4 (1) The enforcement or enactment of rules or
5 ordinances by state agencies or local governmental bodies.

6 (2) Labor relations and collective bargaining.

7 Section 2. This act shall become effective on the
8 first day of the third month following its passage and
9 approval by the Governor, or its otherwise becoming law.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18

House of Representatives

Read for the first time and re-
ferred to the House of Representa-
tives committee on Commerce and
Small Business..... 09-MAR-17

Read for the second time and placed
on the calendar 1 amendment 15-MAR-17

Read for the third time and passed
as amended..... 04-APR-17

Yeas 96, Nays 0, Abstains 0

Jeff Woodard
Clerk