

ACT No. 404

2015 Regular Session

HOUSE BILL NO. 464

BY REPRESENTATIVE TALBOT

1 AN ACT

2 To amend and reenact R.S. 23:921(F)(2) and to enact R.S. 23:921(F)(3) and (4), relative to
3 employment contracts; to provide for franchise relationships; to provide with respect
4 to the status of employees in franchises; to provide for exceptions in applicability;
5 and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 23:921(F)(2) is hereby amended and reenacted and R.S. 23:921(F)(3)
8 and (4) are hereby enacted to read as follows:

9 §921. Restraint of business prohibited; restraint on forum prohibited; competing
10 business; contracts against engaging in; provisions for

11 * * *

12 F.(1) Parties to a franchise may agree that:

13 * * *

14 (2) Except as provided in Paragraph (3) of this Subsection, neither a
15 franchisee who is a party to a franchise agreement regulated under the Federal Trade
16 Commission Franchise Disclosure Rule, 16 CFR 436, nor an employee of the
17 franchisee shall be deemed to be an employee of the franchisor for any purpose. A
18 voluntary agreement entered into between the United States Department of Labor
19 and an employer shall not be used by a state department or agency as evidence or for
20 any other purpose in an investigation or judicial or administrative determination,
21 including whether an employee of a franchisee is also considered to be an employee
22 of the franchisor.

