

SECOND REGULAR SESSION

# SENATE BILL NO. 738

100TH GENERAL ASSEMBLY

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INTRODUCED BY SENATOR ONDER.

Pre-filed December 1, 2019, and ordered printed.

ADRIANE D. CROUSE, Secretary.

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## AN ACT

To amend chapter 285, RSMo, by adding thereto one new section relating to the employer-employee relationship.

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*Be it enacted by the General Assembly of the State of Missouri, as follows:*

Section A Chapter 285, RSMo, is amended by adding thereto one new  
2 section, to be known as section 285.075, to read as follows:

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

9       **2. For purposes of this section, the terms "franchisee" and**  
10 **"franchisor" shall have the same meaning as in 16 C.F.R. 436.1.**

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