

HOUSE BILL NO. HB0016

Misclassification of employees-penalties.

Sponsored by: Joint Corporations, Elections and Political
Subdivisions Interim Committee

A BILL

for

1 AN ACT relating to workers' compensation and unemployment;
2 clarifying penalties for misclassification of employees;
3 and providing for an effective date.

4

5 *Be It Enacted by the Legislature of the State of Wyoming:*

6

7 **Section 1.** W.S. 27-3-703(a) and 27-14-510(d) (intro)
8 are amended to read:

9

10 **27-3-703. Fraud by employing unit; refusal to furnish**
11 **reports; failure to make required payments; failure to**
12 **comply with injunction order; penalties.**

13

14 (a) No officer, agent or any other individual of an
15 employing unit shall knowingly make a false statement or
16 misrepresentation, including knowingly failing to properly

1 classify an individual as an employee, or knowingly fail to
2 disclose a material fact with the intention of preventing
3 or reducing the payment of benefits to any entitled
4 individual, to avoid being subject to this act or to avoid
5 or reduce any contribution or other payment required from
6 an employing unit under this act, or willfully fail or
7 refuse to make any contribution or other payment. Any such
8 individual violating this subsection is guilty of a
9 misdemeanor punishable by imprisonment for not more than
10 ninety (90) days, a fine of not more than seven hundred
11 fifty dollars (\$750.00), or both. Each false statement,
12 misrepresentation, failure to properly classify an
13 individual as an employee or failure to disclose a material
14 fact is a separate offense.

15

16 **27-14-510. Misrepresentations or false statements;**
17 **failure of employer to establish account or furnish payroll**
18 **report.**

19

20 (d) Any employer who knowingly fails to establish an
21 account or knowingly fails to furnish a payroll report,
22 including knowingly failing to properly classify an
23 individual as an employee, as required by this act is
24 guilty of:

1

2 **Section 2.** This act is effective July 1, 2014.

3

4 (END)