

SENATE FILE NO. SF0112

Penalties for misclassification of employees.

Sponsored by: Senator(s) Johnson

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.

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

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

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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
17 classify an individual as an employee, or knowingly fail to

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

14

15 **27-14-510. Misrepresentations or false statements;**
16 **failure of employer to establish account or furnish payroll**
17 **report.**

18

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

24

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

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3

(END)