

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

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HOUSE BILL 751

Short Title: Real Estate Ind. Contractor.

(Public)

Sponsors: Representatives Howard; and McMahan.

Referred to: Business and Labor.

April 4, 1995

A BILL TO BE ENTITLED

1 AN ACT TO ALLOW A CONTRACT BETWEEN A REAL ESTATE BROKER AND
2 A REAL ESTATE SALESMAN TO INCLUDE A PROVISION TO REIMBURSE
3 THE REAL ESTATE BROKER FOR THE COST OF INCLUDING THE
4 SALESMAN UNDER THE BROKER'S WORKERS' COMPENSATION
5 COVERAGE OF THE BROKER'S BUSINESS.
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7 The General Assembly of North Carolina enacts:

8 Section 1. Article 1 of Chapter 93A of the General Statutes is amended by
9 adding a new section to read:

10 "**§ 93A-11. Reimbursement by real estate independent contractor of brokers'**
11 **workers' compensation.**

12 (a) Notwithstanding the provisions of G.S. 97-21 or any other provision of law, a
13 real estate broker may include in the governing contract with a real estate salesman
14 whose nonemployee status is recognized pursuant to section 3508 of the United States
15 Internal Revenue Code, 26 U.S.C. § 3508, an agreement for the salesman to reimburse
16 the broker for the cost of covering that salesman under the broker's workers'
17 compensation coverage of the broker's business.

18 (b) Nothing in this section shall affect a requirement under any other law to
19 provide workers' compensation coverage or in any manner exclude from coverage any

1 person, firm, or corporation otherwise subject to the provisions of Article 1 of Chapter 97
2 of the General Statutes."

3 Sec. 2. This act is effective upon ratification and applies to any governing
4 contract between a real estate broker and a real estate salesman entered into on or after
5 that date.