

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1993

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SENATE BILL 912
Manufacturing and Labor Committee Substitute Adopted 5/4/93

Short Title: Workers' Comp/Realtors.

(Public)

Sponsors:

Referred to:

April 19, 1993

1 A BILL TO BE ENTITLED
2 AN ACT TO ALLOW REAL ESTATE BROKERS TO CONTRACT WITH REAL
3 ESTATE SALESPERSONS FOR THE BROKER WHEREBY THE
4 SALESPERSON AGREES TO REIMBURSE THE BROKER FOR THE COST OF
5 WORKERS' COMPENSATION INSURANCE.

6 The General Assembly of North Carolina enacts:

7 Section 1. G.S. 97-21 reads as rewritten:

8 **"§ 97-21. Claims unassignable and exempt from taxes and debts; agreement of**
9 **employee to contribute to premium or waive right to compensation void;**
10 **unlawful deduction by employer.**

11 (a) No claim for compensation under this Article shall be assignable, and all
12 compensation and claims therefor shall be exempt from all claims of creditors and from
13 taxes.

14 (b) ~~No~~ Except as provided in subsection (c) of this section, no agreement by an
15 employee to pay any portion of premium paid by his employer to a carrier or to
16 contribute to a benefit fund or department maintained by such employer for the purpose
17 of providing compensation or medical services and supplies as required by this Article
18 shall be valid, and any employer who makes a deduction for such purpose from the pay
19 of any employee entitled to the benefits of this Article shall be guilty of a misdemeanor
20 and upon conviction thereof shall be punished by a fine of not more than five hundred
21 dollars (\$500.00). No agreement by an employee to waive his right to compensation
22 under this Chapter shall be valid.

1 (c) A real estate broker may enter into a contract with its salesperson who is
2 defined to be an independent contractor pursuant to the Internal Revenue Code whereby
3 the salesperson agrees to reimburse the broker for the cost of covering that salesperson
4 under the broker's workers' compensation policy."

5 Sec. 2. This act is effective upon ratification and applies to any such contract
6 between a broker and the broker's salesperson entered into on or after that date.