Bill No. CS/HB 1927, 2nd Eng. Amendment No. ____ Barcode 754484 CHAMBER ACTION Senate House 1 2 3 4 5 6 7 8 9 10 Senator Latvala moved the following substitute for amendment 11 12 to amendment (110260): 13 14 Senate Amendment On page 2, lines 13-31, delete those lines 15 16 17 and insert: 18 "Employee" includes any person who is an officer (b) 19 of a corporation and who performs services for remuneration 20 for such corporation within this state, whether or not such 21 services are continuous. 22 1. Any officer of a corporation may elect to be exempt from this chapter by filing written notice of the election 23 with the division as provided in s. 440.05. 24 25 Effective January 1, 2002, as to officers of a 2. 26 corporation who are actively engaged in the construction 27 industry, no more than two three officers of such corporation or of any group of affiliated corporations may elect to be 28 29 exempt from this chapter by filing written notice of the 30 election with the division as provided in s. 440.05, however; a. Such election is valid only with respect to an 31 1 5:45 PM 05/03/01 h1927c1b-19j10

Bill No. CS/HB 1927, 2nd Eng.

Amendment No. ____ Barcode 754484

officer who is the president, vice president, secretary, or 1 2 treasurer of the corporation. 3 b. Such election is valid only with respect to an 4 officer who owns not less than 10 percent of the stock of the 5 corporation. 6 3. An officer of a corporation who elects to be exempt 7 from this chapter by filing a written notice of the election with the division as provided in s. 440.05 is not an employee. 8 9 10 Services are presumed to have been rendered to the corporation if the officer is compensated by other than dividends upon 11 12 shares of stock of the corporation which the officer owns. The term "affiliated" means and includes one or more 13 corporations or entities, any one of which is a corporation 14 15 actively engaged in the construction industry, under the same or substantially the same control of a group of business 16 17 entities which are connected or associated so that one entity controls or has the power to control each of the other 18 business entities. The term "affiliated" includes the 19 officers, directors, executives, shareholders active in 20 21 management, employees, and agents of the affiliated corporation. The ownership by one business entity of a 22 controlling interest in another business entity or a pooling 23 24 of equipment or income among business entities shall be prima facie evidence that one business entity is affiliated with 25 26 another. 27 28 29 30 31 2

5:45 PM 05/03/01

h1927c1b-19j10