



State of Wisconsin
2011 - 2012 LEGISLATURE



LRB-3311/1
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2011 ASSEMBLY BILL 443

December 23, 2011 - Introduced by Representatives FIELDS, BARCA, JACQUE, MARKLEIN, A. OTT, SINICKI, C. TAYLOR, THIESFELDT, TRANEL, WYNN and MOLEPSKE JR, cosponsored by Senators LASSA, SCHULTZ and TAYLOR. Referred to Committee on Labor and Workforce Development.

1 **AN ACT to create** 102.07 (4) (a) 1m. of the statutes; **relating to:** excluding sports
2 officials from coverage under the worker's compensation law.

Analysis by the Legislative Reference Bureau

Under current law, subject to certain exceptions, every person in the service of another under any contract of hire, express or implied, is considered to be an employee for purposes of the worker's compensation law, which requires an employer that is subject to that law to pay disability benefits and the cost of medical treatment for an employee who sustains an injury while performing services growing out of and incidental to employment. Current law, however, excludes from the coverage under the worker's compensation law independent contractors who, among other things, maintain separate businesses, operate under contracts to perform specific services or work for specific amounts of money, may realize a profit or suffer a loss under those contracts, and control the means of performing their services or work.

This bill excludes from coverage under the worker's compensation law a person performing services as an umpire, referee, judge, scorekeeper, timekeeper, organizer, or as any other neutral participant in a sports event or contest (sports official) for a public, private, or tribal school; an institution of higher education; a nonstock, nonprofit corporation; or a public agency (the state or a county, city, village, or town) that is sponsoring an interscholastic, intercollegiate, or other amateur sports event or contest, unless the person performing those services is otherwise employed by the

