

1 AN ACT relating to exemptions from workers' compensation coverage.

2 ***Be it enacted by the General Assembly of the Commonwealth of Kentucky:***

3 ➔Section 1. KRS 342.650 is amended to read as follows:

4 The following employees are exempt from the coverage of this chapter:

- 5 (1) Any person employed as a domestic servant in a private home by an employer who  
6 has less than two (2) employees each regularly employed forty (40) or more hours a  
7 week in domestic servant employment;
- 8 (2) Any person employed, for not exceeding twenty (20) consecutive work days, to do  
9 maintenance, repair, remodeling, *lawn services*, or similar work in or about the  
10 private home of the employer, or if the employer has no other employees subject to  
11 this chapter, in or about the premises where that employer carries on his or her  
12 trade, business, or profession;
- 13 (3) Any person performing services in return for aid or sustenance only, received from  
14 any religious or charitable organization;
- 15 (4) Any person for whom a rule of liability for injury or death is provided by the laws  
16 of the United States, except those persons covered under Title IV, Public Law 91-  
17 173, 91st Congress, commonly referred to as the Black Lung Benefits of the Federal  
18 Coal Mine Health and Safety Act of 1969, or as amended;
- 19 (5) Any person employed in agriculture;
- 20 (6) Any person who would otherwise be covered but who elects not to be covered in  
21 accordance with the administrative regulations promulgated by the commissioner;
- 22 (7) Any person participating as a driver or passenger in a voluntary vanpool or carpool  
23 program while that person is on the way to or from his or her place of employment.  
24 For the purposes of this subsection, carpool or vanpool means any method by which  
25 two (2) or more employees are transported from their residences to their places of  
26 employment; and
- 27 (8) Members of a religious sect or division that is an adherent of established tenets or

1 teachings by reason of which members are conscientiously opposed to acceptance of  
 2 the benefits of any public or private insurance which makes payments in the event  
 3 of death, disability, old age, or retirement, or makes payments toward the cost of, or  
 4 provides services for, medical bills, including the benefits of any insurance system  
 5 established by the Federal Social Security Act, 42 U.S.C. secs. 301 et seq., and it is  
 6 the practice, and has been for ten (10) or more years, for members of the sect or  
 7 division to make reasonable provision for their dependent members.

8 ➔Section 2. KRS 342.630 is amended to read as follows:

9 The following shall constitute employers mandatorily subject to, and required to comply  
 10 with, the provisions of this chapter:

11 (1) Any person~~[, other than one engaged solely in agriculture, ]~~that has in this state one  
 12 (1) or more employees subject to this chapter, **except:**

13 **(a) A person engaged solely in agriculture;**

14 **(b) A private homeowner who hires a person for a period of time not exceeding**  
 15 **twenty (20) work days to do maintenance, repair, remodeling, lawn service,**  
 16 **or similar work in or about his or her private home;**

17 **(c) A person with no other employees who hires a person for a period of time**  
 18 **not exceeding twenty (20) work days to do maintenance, repair, remodeling,**  
 19 **lawn service, or similar work in or about the premises where he or she**  
 20 **carries out his or her trade, business, or profession;**

21 **(d) A person who hires as a domestic servant in his or her private home who**  
 22 **has less than two (2) employees each regularly employed forty (40) or more**  
 23 **hours a week in domestic servant employment.**

24 (2) The state, any agency thereof, and each county, city of any class, school district,  
 25 sewer district, drainage district, tax district, public or quasipublic corporation, or  
 26 any other political subdivision or political entity of the state that has one (1) or more  
 27 employees subject to this chapter.