

Senate Bill 277

By: Senators Albers of the 56th, Bethel of the 54th, Ligon, Jr. of the 3rd, Shafer of the 48th, Millar of the 40th and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 1 of Title 34 of the Official Code of Georgia Annotated, relating to
2 general provisions relative to labor and industrial relations, so as to provide that neither a
3 franchisee nor a franchisee's employee shall be deemed to be an employee of the franchisor
4 for any purpose; to provide for a short title; to provide for an effective date; to provide for
5 related matters; to repeal conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 This Act shall be known and may be cited as the "Protecting Georgia Small Businesses Act."

9 **SECTION 2.**

10 Chapter 1 of Title 34 of the Official Code of Georgia Annotated, relating to general
11 provisions relative to labor and industrial relations, is amended by adding a new Code section
12 to read as follows:

13 "34-1-9.

14 (a) As used in this Code section, the terms 'franchisee' and 'franchisor' shall have the same
15 meanings as provided in 16 C.F.R. Section 436.1 as such existed on August 26, 2015.

16 (b) Notwithstanding any order issued by the federal government or any agreement entered
17 into with the federal government by a franchisor or a franchisee, neither a franchisee nor
18 a franchisee's employee shall be deemed to be an employee of the franchisor for any
19 purpose."

20 **SECTION 3.**

21 This Act shall become effective on January 1, 2017.

22 **SECTION 4.**

23 All laws and parts of laws in conflict with this Act are repealed.