

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

AS PASSED SENATE

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 applicability; to provide for a short title; to provide for an
5 effective date; to provide for related matters; to repeal conflicting laws; and for other
6 purposes.

7 **BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:**

8 **SECTION 1.**

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

10 **SECTION 2.**

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

14 "34-1-9.

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

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

21 (c) This Code section shall not apply to Chapter 9 of this title."

22 **SECTION 3.**

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

24

SECTION 4.

25 All laws and parts of laws in conflict with this Act are repealed.