

House _____ Amendment NO. _____

Offered By

1 AMEND House Committee Substitute for Senate Bill No. 148, Page 8, Section 274.190, Line 10, by
2 inserting after all of said section and line the following:

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4 "287.037. 1. Notwithstanding any other provision of law to the contrary, beginning January
5 1, 1997, those insurance companies providing coverage pursuant to chapter 287, to a limited liability
6 company, as defined in section 347.015, shall provide coverage for the employees of the limited
7 liability company who are not members of the limited liability company. Members of the limited
8 liability company, as defined in section 347.015, shall also be provided coverage pursuant to chapter
9 287, but such members may individually elect to reject such coverage by providing a written notice
10 of such rejection on a form developed by the department of insurance, financial institutions and
11 professional registration to the limited liability company and its insurer. Failure to provide notice to
12 the limited liability company shall not be grounds for any member to claim that the rejection of such
13 coverage is not legally effective. A member who elects to reject such coverage shall not thereafter
14 be entitled to workers' compensation benefits under the policy, even if serving or working in the
15 capacity of an employee of the limited liability company, at least until such time as said member
16 provides the limited liability company and its insurer with a written notice which rescinds the prior
17 rejection of such coverage. The written notice which rescinds the prior rejection of such coverage
18 shall be on a form developed by the department of insurance, financial institutions and professional
19 registration. Any rescission shall be prospective in nature and shall entitle the member only to such
20 benefits which accrue on or after the date the notice of rescission form is received by the insurance
21 company.

22 2. Notwithstanding any other provision of law to the contrary, beginning January 1, 2016, a
23 shareholder of an S corporation, as defined in subsection 1 of section 143.471, with at least forty
24 percent or greater interest in the S corporation may individually elect to reject coverage under this
25 chapter by providing a written notice of such rejection to the S corporation and its insurer. Failure to
26 provide notice to the S corporation shall not be grounds for any shareholder to claim that the
27 rejection of such coverage is not legally effective. A shareholder who elects to reject such coverage
28 shall not thereafter be entitled to workers' compensation benefits under the policy, even if serving or
29 working in the capacity of an employee of the S corporation, at least until such time as such
30 shareholder provides the S corporation and its insurer with a written notice which rescinds the prior

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1 rejection of such coverage. Any rescission shall be prospective in nature and shall entitle the
2 shareholder only to such benefits which accrue on or after the date the notice of rescission is received
3 by the insurance company."; and

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5 Further amend said bill by amending the title, enacting clause, and intersectional references
6 accordingly.