

2026 Regular Session

SENATE RESOLUTION NO. 132

BY SENATOR ABRAHAM

LEGISLATIVE AGENCIES. Requests the La. State Law Institute to study the feasibility of requiring employers to provide occupational accident insurance to independent contractors.

1 A RESOLUTION

2 To urge and request the Louisiana State Law Institute to study and recommend legislation  
3 requiring employers to provide occupational accident insurance to independent  
4 contractors and whether single member business entities should be required to  
5 acquire workers' compensation insurance coverage.

6 WHEREAS, Louisiana workers' compensation system was established to provide a  
7 structured and predictable mechanism for compensating employees who suffer injuries  
8 arising out of and in the course of employment; and

9 WHEREAS, Louisiana workers' compensation law excludes independent contractors  
10 and single member business entities from coverage with certain exceptions; and

11 WHEREAS, today's workforce includes an increasing number of sole proprietors,  
12 independent contractors, owner-operators, gig workers, and single-member business entities  
13 operating in industries such as transportation, construction, logistics, delivery services, and  
14 home services; and

15 WHEREAS, occupational accident insurance products are currently offered in  
16 various states and industries as an alternative or supplemental form of injury protection for  
17 certain independent contractors and nontraditional work arrangements; and

18 WHEREAS, questions exist regarding the extent to which occupational accident

1 insurance products may lawfully be offered, structured, regulated, and utilized under existing  
2 Louisiana insurance and labor laws; and

3 WHEREAS, current law exempts a single member business entity from the  
4 requirement of workers' compensation insurance for itself if it has no employees; and

5 WHEREAS, concerns have also been raised regarding whether certain classifications  
6 of workers as independent contractors or sole proprietorships may result in gaps in coverage,  
7 increased uncompensated medical costs, and inconsistent treatment among similarly situated  
8 workers; and

9 WHEREAS, there is a need to study whether existing workers' compensation laws  
10 adequately address modern business structures and labor arrangements while maintaining  
11 fairness for small businesses, independent workers, contractors, and consumers; and

12 WHEREAS, given that Louisiana has a compelling interest in ensuring that injured  
13 workers have access to medical care and wage replacement benefits following workplace  
14 injuries, the potential economic impact and other public policy challenges associated with  
15 requiring workers' compensation or occupational accident coverage for single member  
16 business entities, 1099 employees, or independent contractors should be studied.

17 THEREFORE, BE IT RESOLVED that the Senate of the Legislature of Louisiana  
18 does hereby urge and request the Louisiana State Law Institute to study and recommend  
19 legislation to require all employers, including single member business entities and 1099  
20 employees to provide workers' compensation or occupational accident insurance coverage.

21 BE IT FURTHER RESOLVED that this study should be informed by input from a  
22 broad cross-section of stakeholders, including chambers of commerce, local and regional  
23 economic development organizations, labor representatives, and business and industry  
24 leaders.

25 BE IT FURTHER RESOLVED that the study shall be in consultation with local  
26 workforce development boards, the secretary of Louisiana Works, or her designee, workers'  
27 compensation plaintiff and defense attorneys, and the commissioner of the Louisiana  
28 Department of Insurance, or his designee.

29 BE IT FURTHER RESOLVED that the Louisiana State Law Institute shall submit  
30 a written report of its findings and recommendations, including potential statutory,

