

2026 Regular Session

HOUSE BILL NO. 185

BY REPRESENTATIVE MELERINE

WORKERS COMPENSATION: Provides relative to the definition of an independent contractor

1 AN ACT

2 To amend and reenact R.S. 23:1021 (introductory paragraph) and (7), relative to worker's
3 compensation; to provide for the definition of an independent contractor; to expand
4 the definition of an independent contractor; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 23:1021 (introductory paragraph) and (7) are hereby amended and
7 reenacted to read as follows:

8 §1021. Terms defined

9 As used in this Chapter, unless the context clearly indicates otherwise, the
10 following terms ~~shall be given~~ have the meaning ascribed to them in this Section:

11 * * *

12 (7)(a) "Independent contractor" means any person who renders service, other
13 than manual labor, for a specified recompense for a specified result either as a unit
14 or as a whole, under the control of his principal as to results of his work only, and not
15 as to the means by which such result is accomplished, and are expressly excluded
16 from the provisions of this Chapter unless a substantial part of the work time of an
17 independent contractor is spent in manual labor by him in carrying out the terms of
18 the contract, in which case the independent contractor is expressly covered by the
19 provisions of this Chapter. The operation of a truck tractor or truck tractor trailer,
20 including fueling, driving, connecting and disconnecting electrical lines and air

1 hoses, hooking and unhooking trailers, and vehicle inspections are not manual labor
2 within the meaning of this Chapter.

3 (b) "Independent contractor" as defined in Subparagraph (a) of this
4 Paragraph also includes the employees of an independent contractor and other
5 independent contractors contracting with an independent contractor.

6 * * *

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 185 Original

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Melerine

Abstract: For the purposes of worker's compensation, expands the definition of an independent contractor by providing additional individuals who shall also be considered an independent contractor.

Present law defines an individual who is considered an independent contractor for the purposes of worker's compensation.

Proposed law expands the definition of independent contractor to also include employees of independent contractors or other independent contractors contracting with an independent contractor.

(Amends R.S. 23:1021(intro. para.) and (7))