

---

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 464 Original

2015 Regular Session

Talbot

**Abstract:** Provides that an employee of a franchisee is not an employee of the franchisor.

Present law provides for franchise agreements specifying that parties to a franchise may agree that the franchisor will refrain from selling, distributing, or granting additional franchises within defined geographic area and in return, the franchisee will refrain from competing with the franchisor, or other franchisees of the franchisor, for a period of up to 2 years following the severance of the franchise relationship. Proposed law retains present law.

Proposed law provides that a franchisee and his employees are not employees of the franchisor.

Proposed law further provides that any agreement that the employer enters into with the U.S. Dept. of Labor cannot be used by the state for an investigation or judicial or administrative determination for any purpose, including whether the franchisee's employees are employed by the franchisor.

(Adds R.S. 23:921(F)(1)(d))