



## 94TH GENERAL ASSEMBLY

### State of Illinois

2005 and 2006

HB2131

Introduced 2/14/2005, by Rep. Michael J. Madigan - Barbara Flynn Currie - Larry McKeon

#### SYNOPSIS AS INTRODUCED:

820 ILCS 405/212

from Ch. 48, par. 322

Amends the Unemployment Insurance Act. Makes a technical change in a Section concerning independent contractors.

LRB094 03090 WGH 33091 b

1 AN ACT concerning employment.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 5. The Unemployment Insurance Act is amended by  
5 changing Section 212 as follows:

6 (820 ILCS 405/212) (from Ch. 48, par. 322)

7 Sec. 212. Service performed by an individual for an  
8 employing unit, whether or not such individual employs others  
9 in connection with the ~~the~~ performance of such services, shall  
10 be deemed to be employment unless and until it is proven in any  
11 proceeding where such issue is involved that--

12 A. Such individual has been and will continue to be free  
13 from control or direction over the performance of such  
14 services, both under his contract of service and in fact; and

15 B. Such service is either outside the usual course of the  
16 business for which such service is performed or that such  
17 service is performed outside of all the places of business of  
18 the enterprise for which such service is performed; and

19 C. Such individual is engaged in an independently  
20 established trade, occupation, profession, or business.

21 (Source: Laws 1951, p. 32.)