

1 interagency cooperation, information sharing, and the prosecution of violators.

2 **42-155-3. Task Force.** -- (a) There is hereby established a task force on the underground
3 economy and employee misclassification. The task force shall consist of the following members
4 or their designees:

5 (1) The director of labor and training, or designee;

6 (2) The tax administrator, or designee;

7 (3) The director of business regulations, or designee;

8 (4) The head of the workforce regulation and safety division, or designee;

9 (5) The attorney general, or designee;

10 (6) The commissioner of the department of public safety, or designee; and

11 (7) The chief judge of the workers' compensation court, or designee.

12 (b) The director of labor and training shall chair the task force.

13 **42-155-4. Duties and Responsibilities.** -- The task force shall:

14 (1) Coordinate joint efforts to combat the underground economy and employee
15 misclassification;

16 (2) Foster voluntary compliance with the law by educating business owners and
17 employees about applicable requirements;

18 (3) Conduct joint, targeted investigations and enforcement actions against violators;

19 (4) Protect the health, safety and benefit rights of workers; and

20 (5) Restore competitive equality for law-abiding businesses.

21 **42-155-5. Sharing of Information.** -- Notwithstanding any other law or regulation to the
22 contrary, the task force shall facilitate timely information sharing between and among task force
23 members, including the establishment of protocols by which participating agencies will advise or
24 refer to other agencies matters of potential investigative interest.

25 **44-155-6. Annual Report.**-- No later than March 15, 2015, and every March 15
26 thereafter, the task force shall submit a report to the governor and the chairpersons of the house
27 finance committee and senate finance committee summarizing the task force's activities during
28 the preceding year. The report shall, without limitation:

29 (1) Describe the task force's efforts and accomplishments during the year;

30 (2) Identify any administrative or legal barriers impeding the more effective operation of
31 the task force, including any barriers to information sharing or joint action; and propose
32 appropriate administrative, legislative, or regulatory changes to strengthen the task force's
33 operations and enforcement efforts and reduce or eliminate any barriers to those efforts.

1 SECTION 2. The act shall take effect upon passage.

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LC005755/SUB A
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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

A N A C T

RELATING TO STATE AFFAIRS AND GOVERNMENT - UNDERGROUND ECONOMY
AND EMPLOYEE MISCLASSIFICATION ACT

1 This act would establish a task force to investigate and seek out underground economy
2 and employee misclassification. The task force would foster voluntary compliance with the law
3 by educating business owners and employees about applicable requirements concerning
4 classification of employees.

5 The act would take effect upon passage.

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LC005755/SUB A
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