

**ASSEMBLY BILL**

**No. 2449**

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**Introduced by Assembly Member Norby**

February 24, 2012

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An act to amend Section 3202 of the Labor Code, relating to independent contractors.

LEGISLATIVE COUNSEL'S DIGEST

AB 2449, as introduced, Norby. Workers' compensation: independent contractors.

Existing law establishes a workers' compensation system to compensate an employee for an injury sustained in the course of his or her employment. Existing law requires that these provisions be liberally construed by the courts with the purpose of extending the benefits of these provisions for the protection of persons injured in the course of their employment.

This bill would, require that these provisions be strictly construed by the courts with respect to what constitutes an independent contractor, as defined for purposes of limiting the inappropriate extension of these benefits to persons not intended to receive them.

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

*The people of the State of California do enact as follows:*

- 1 SECTION 1. Section 3202 of the Labor Code is amended to
- 2 read:
- 3 3202. (a) This division and Division 5 (commencing with
- 4 Section 6300) shall be liberally construed by the courts with the

1 purpose of extending their benefits for the protection of persons  
2 injured in the course of their employment.  
3 *(b) Notwithstanding subdivision (a), for the purpose of limiting*  
4 *the inappropriate extension of benefits to persons who were not*  
5 *intended to receive them, this division shall be strictly construed*  
6 *by the courts with respect to what constitutes an independent*  
7 *contractor, as defined in Section 3357.*

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