

ASSEMBLY BILL

No. 500

Introduced by Assembly Member Waldron

February 23, 2015

An act to add Section 30 to the Labor Code, relating to employment.

LEGISLATIVE COUNSEL'S DIGEST

AB 500, as introduced, Waldron. Drug and alcohol rehabilitation programs: independent contractors.

Existing law defines the term “independent contractor” for certain employment purposes.

This bill would provide that notwithstanding any other law, a person who has been convicted of a felony involving substance abuse, who has no violent felony convictions, who successfully completes an alcohol or substance abuse rehabilitation program that is approved or licensed by the state, and who is hired by a private employer, may be deemed an independent contractor for all state purposes, for a period not to exceed 2 years from the date of completion of the rehabilitation program.

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 30 is added to the Labor Code, to read:
- 2 30. (a) Notwithstanding any other law, a person may be
- 3 deemed an independent contractor for all state purposes, for a
- 4 period not to exceed two years from the date of completion of a
- 5 drug or alcohol rehabilitation program, if all of the following apply:

- 1 (1) The person has been convicted of a felony for an offense
- 2 involving substance abuse.
- 3 (2) The person has been released to postrelease community
- 4 supervision.
- 5 (3) While subject to postrelease community supervision, the
- 6 person successfully completes an alcohol or substance abuse
- 7 rehabilitation program that is approved or licensed by the state.
- 8 (4) The person is hired by a private employer, which may
- 9 include a nonprofit entity.
- 10 (5) The person has no convictions for a violent felony.
- 11 (b) Nothing in this section shall prohibit a private employer, at
- 12 the employer's discretion, from employing a person described in
- 13 subdivision (a) as an employee.
- 14 (c) Nothing in this section shall prohibit the person from
- 15 obtaining union membership during the term of the rehabilitation
- 16 program.