



126th MAINE LEGISLATURE

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Legislative Document

No. 806

H.P. 557

House of Representatives, March 5, 2013

**An Act To Allow the Purchase of Workers' Compensation
Insurance Coverage for Domestic Employees from an Insurance
Company That Provides Liability Insurance for Homeowners or
Tenants**

Reference to the Committee on Insurance and Financial Services suggested and ordered printed.

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative SANDERSON of Chelsea.
Cosponsored by Senator MASON of Androscoggin and
Representatives: DOAK of Columbia Falls, HARVELL of Farmington, PARRY of Arundel,
POULIOT of Augusta, WEAVER of York.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 39-A MRSA §401, sub-§1, ¶A,** as enacted by PL 1991, c. 885, Pt. A, §8
3 and affected by §§9 to 11, is amended to read:

4 A. ~~Employers~~ Except as provided in section 405-A, employers of employees
5 engaged in domestic service;

6 **Sec. 2. 39-A MRSA §405-A** is enacted to read:

7 **§405-A. Voluntary coverage of employees engaged in domestic service**

8 An employer of an employee engaged in domestic service is subject to this Act if the
9 employer voluntarily obtains workers' compensation insurance covering that employee as
10 provided under section 405 from an insurance company providing liability insurance for
11 homeowners or tenants in this State. An insurance company authorized to provide
12 liability insurance for homeowners or tenants in this State may, in connection with such
13 insurance, provide workers' compensation insurance covering employees engaged in
14 domestic service. Workers' compensation insurance provided under this section is not
15 subject to the financial or other requirements with respect to workers' compensation
16 insurance in addition to those requirements for writing liability insurance for homeowners
17 or tenants. Premium rates and policy forms or endorsements used by an insurance
18 company to provide workers' compensation insurance under this section must be
19 approved by the Superintendent of Insurance.

20 **SUMMARY**

21 This bill permits employers of domestic workers to voluntarily procure workers'
22 compensation insurance for those workers from an insurance company providing liability
23 insurance for homeowners or tenants in this State and authorizes those companies to
24 provide such insurance.