



93RD GENERAL ASSEMBLY

State of Illinois

2003 and 2004

Introduced 2/6/2004, by Michael J. Madigan

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.

LRB093 17207 WGH 42873 b

1 AN ACT in relation to unemployment.

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 the ~~such~~ individual employs
9 others in connection with the performance of such services,
10 shall be deemed to be employment unless and until it is proven
11 in any 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.)