

Department of State
Division of Publications
312 Rosa L. Parks, 8th Floor Snodgrass/TN Tower
Nashville, TN 37243
Phone: 615.741.2650
Fax: 615.741.5133
Email: register.information@tn.gov

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Sequence Number: 09-05-11
Notice ID(s): 1662
File Date: 09/08/2011

Notice of Rulemaking Hearing

Hearings will be conducted in the manner prescribed by the Uniform Administrative Procedures Act, T.C.A. §4-5-204. For questions and copies of the notice, contact the person listed below.

Agency/Board/Commission: Department of State
Division: Business Services
Contact Person: Nathan Burton
Address: 312 Rosa L. Parks Ave., Snodgrass Tower, 6th Floor, Nashville, TN, 37243
Phone: 615-741-2819
Email: nathan.burton@tn.gov

Any Individuals with disabilities who wish to participate in these proceedings (to review these filings) and may require aid to facilitate such participation should contact the following at least 10 days prior to the hearing:

ADA Contact: Maggie Bahou
Address: 312 Rosa L. Parks Ave., Snodgrass Tower, 7th Floor, Nashville, TN, 37243
Phone: 615-741-2819
Email: maggie.bahou@tn.gov

Hearing Location(s) (for additional locations, copy and paste table)

Address 1: 312 Rosa L. Parks Ave., Snodgrass Tower, 6th Floor Conference Room
Address 2:
City: Nashville, TN
Zip: 37243
Hearing Date: 11/18/11
Hearing Time: 2:00 X CST EST

Additional Hearing Information:

Revision Type (check all that apply):

Amendment
 New
 Repeal

Rule(s) (ALL chapters and rules contained in filing must be listed. If needed, copy and paste additional tables to accommodate more than one chapter. Please enter only ONE Rule Number/Rule Title per row.)

Chapter Number	Chapter Title
1360-09-01	Workers' Compensation Exemption Registration
Rule Number	Rule Title
1360-09-01-.01	Definitions

(Place substance of rules and other info here. Statutory authority must be given for each rule change. For information on formatting rules go to <http://state.tn.us/sos/rules/1360/1360.htm>)

Chapter 1360-09-01
Workers' Compensation Exemption Registration

Rule 1360-09-01-.01 Definitions is amended by deleting the text of subdivision (h) in its entirety and substituting instead the following language so that, as amended, subdivision (h) shall read as follows:

Rule 1360-09-01-.01 Definitions.

- (1) (h) "Engaged in the construction industry" means any person or entity assigned to the contracting group as those classifications are designated by the rate service organization designated by the Commissioner of Commerce and Insurance as provided in § 56-5-320; provided, where more than one (1) classification applies, the governing classification, as that term is defined by the rate service organization designated by the Commissioner of Commerce and Insurance as provided in § 56-5-320, shall be used to determine whether the person or entity is engaged in the construction industry.

Authority: T.C.A. §50-6-901(8) and Tenn. Pub. Acts, ch. 422 (2011).

Rule 1360-09-01-.05 Fees is amended by adding subdivisions (i) and (j) so that, as amended, the additional subdivisions shall read as follows:

Rule 1360-09-01-.05 Fees.

- (1) (i) The fee for the issuance of a second or subsequent construction services provider workers' compensation exemption registration is twenty dollars (\$20) per registration.
- (j) The fee for the filing of a second or subsequent construction services provider workers' compensation exemption renewal is twenty dollars (\$20) per renewal.

Authority: T.C.A. §50-6-912 and Tenn. Pub. Acts, ch. 422 (2011).

I certify that the information included in this filing is an accurate and complete representation of the intent and scope of rulemaking proposed by the agency.



Date: 9/8/11

Signature: Tre Hargett

Name of Officer: TRE HARGETT

Title of Officer: SECRETARY OF STATE

Subscribed and sworn to before me on: September 8, 2011

Notary Public Signature: Mona Lee Hart

My commission expires on: Nov. 7, 2012

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Filed with the Department of State on: 9/8/11

Tre Hargett

Tre Hargett
Secretary of State

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