AFFIDAVIT OF WORKERS COMPENSATION EXEMPTION UNDER THE KANSAS ROOFING REGISTRATION ACT

STATE OF KANSAS)
)
COUNTY OF _____)

1. My name is _____. I am of legal age and sound mind, capable of making this affidavit, and personally acquainted with the facts herein stated. I understand that by submitting this affidavit to the Office of the Attorney General for a registration pursuant to the Kansas roofing registration act, I am stating that my business is exempt from carrying workers compensation coverage.

2. I am the sole proprietor, owner, or partner of _____,
Business name
a business that is engaged as a "roofing contractor," as such term is defined by the Kansas roofing registration act, and the business is not required to purchase workers compensation insurance coverage for the following reason:

[ ] I am a sole proprietor and have no "employee(s)," as defined under the law (*see page two*);

[ ] I am a partner in a partnership with no "employee(s)," as defined under the law (*see page two*);

[ ] my business is not incorporated, my total gross annual payroll for the preceding calendar year was not more than $20,000 for all employees, excluding family members of the employer, and I reasonably estimate that I will not have a total gross annual payroll for the current calendar year of more than $20,000 for all employees, excluding family members of the employer; or

[ ] my business is incorporated, my total gross annual payroll for the preceding calendar year was not more than $20,000 for all employees, including family members of the employer, and I reasonably estimate that I will not have a total gross annual payroll for the current calendar year of more than $20,000 for all employees, including family members of the employer.

3. I understand that the execution of this affidavit shall not affect the rights or coverage of any person determined to be an employee of the individual executing the affidavit.

4. I understand that providing fraudulent information on this affidavit is unlawful under the workers compensation act, and may be either a misdemeanor or a felony, punishable by imprisonment and fine.

5. I understand that I may seek competent legal advice regarding whether I can lawfully submit this affidavit.

_____ _____

Affiant *Date*

Subscribed and sworn to me before this _____ day of _____, 20_____.

My commissioner expires: _____ _____

Notary Public

Before me, the undersigned authority, personally appeared _____ who, being

Name of affiant

duly sworn on this oath states as above.

Definitions:

K.S.A. 44-508 (b) "Workman" or "employee" or "worker" means any person who has entered into the employment of or works under any contract of service or apprenticeship with an employer. Such terms shall include but not be limited to: Executive officers of corporations; professional athletes; persons serving on a volunteer basis as duly authorized law enforcement officers, attendants, as defined in subsection (d) [(f)] of K.S.A. 65-6112, and amendments thereto, drivers of ambulances as defined in subsection (b) [(d)] of K.S.A. 65-6112, and amendments thereto, firefighters, but only to the extent and during such periods as they are so serving in such capacities; persons employed by educational, religious and charitable organizations, but only to the extent and during the periods that they are paid wages by such organizations; persons in the service of the state, or any department, agency or authority of the state, any city, school district, or other political subdivision or municipality or public corporation and any instrumentality thereof, under any contract of service, express or implied, and every official or officer thereof, whether elected or appointed, while performing official duties; persons in the service of the state as volunteer members of the Kansas department of civil air patrol, but only to the extent and during such periods as they are officially engaged in the performance of functions specified in K.S.A. 48-3302, and amendments thereto; volunteers in any employment, if the employer has filed an election to extend coverage to such volunteers; minors, whether such minors are legally or illegally employed; and persons performing community service work, but only to the extent and during such periods as they are performing community service work and if an election has been filed [an election] to extend coverage to such persons. Any reference to an employee who has been injured shall, where the employee is dead, include a reference to the employee's dependents, to the employee's legal representatives, or, if the employee is a minor or an incapacitated person, to the employee's guardian or conservator. Unless there is a valid election in effect which has been filed as provided in K.S.A. 44-542a, and amendments thereto, such terms shall not include individual employers, limited liability company members, partners or self-employed persons.