

AMENDMENT TO H.R. 3854, AS REPORTED
OFFERED BY MS. BEAN OF ILLINOIS

Add at the end of the bill the following:

1 **TITLE X—TEMPORARY EM-**
2 **PLOYEE SERVICES FRAN-**
3 **CHISES**

4 **SEC. 1001. TEMPORARY EMPLOYEE SERVICES FRANCHISES.**

5 In determining whether a franchisee is affiliated with
6 a franchiser in the temporary employee services industry
7 for the purposes of Small Business Administration lending
8 programs, the Administrator of the Small Business Ad-
9 ministration shall—

10 (1) continue to apply its historically-considered
11 affiliation factors in determining whether a business
12 is affiliated with another business or the franchiser
13 in the temporary staffing industry;

14 (2) promulgate such other rules and regulations
15 as necessary to determine affiliation within the tem-
16 porary employee services industry as the Adminis-
17 trator determines consistent with the Small Business
18 Act; and

19 (3) consider the processing of payroll and bill-
20 ing by a franchiser as customary and common prac-

1 tice in the temporary employee services industry that
2 does not provide probative weight on affiliation, to
3 the extent that the temporary staffing personnel are
4 interviewed, hired, trained, assigned, and subject to
5 discharge by the franchisee.

