

Workers' Compensation Exemption Registry FAQs

- 1. Where do I find the law for the workers' compensation exemption?** The law relating to the Workers' Compensation Exemption Registry is found in the Tennessee Code at Title 50, Chapter 6, Part 9 and is also available at <http://state.tn.us/sos/acts/106/pub/pc1149.pdf>
- 2. What does registration exempt me from?** The exemption allows a business owner to exempt him or herself from the requirement to carry workers' compensation insurance on him or herself.
- 3. Can I search for registrants on the Workers' Compensation Exemption Registry?** Yes. An online search is available at <http://tnbear.tn.gov/WC/WCFilingSearch.aspx>
- 4. Who can qualify for an exemption?** An applicant must be an individual whom is a sole proprietor and owns 100% of the assets of the business, or an officer of a corporation, or a member of a limited liability company with at least a 30% ownership interest, or a partner in a partnership with at least a 30% ownership interest. In addition, an applicant may qualify for the exemption if the applicant is an owner in a family-owned business regardless of the percentage of ownership.
- 5. Can a business entity apply for an exemption?** No. Registration is only available to individual business owners engaged in the construction services industry.
- 6. How do I apply for exemption?** Business Owners who meet the requirements of T.C.A. § 50-6-901 et seq. must complete an application available at <http://tnbear.tn.gov/wc/ExemptionRegInstr.aspx> and submit the form along with the required filing fee using either the e-file, print and mail, paper submission, or walk-in filing process. For more information on submission options, see the application instructions available at <http://state.tn.us/sos/forms/4523.pdf>
- 7. Who is required to be registered as a construction services provider?** Only applicants who do not have an active contractor's license issued by the Board for Licensing Contractors.
- 8. Are there fees associated with the exemption?** Yes. For applicants with an active contractor's license issued by the Board for Licensing Contractors, the filing fee is \$100.00. For applicants without an active contractor's license, the filing fee is \$200.00. This fee covers both the cost to file a workers' compensation exemption registration and the cost to also apply for a construction services provider registration when submitting the workers' compensation exemption application.

- 9. I'm associated with a general partnership. Is my general partnership required to be registered with the Secretary of State before I may apply for exemption?** Yes. A general partnership associated with an individual seeking exemption must be registered with the Secretary of State. To register a general partnership, you will need to submit a Statement of Partnership Authority, available at <http://state.tn.us/sos/forms/ss-4514.pdf>, along with the required filing fee.
- 10. What if I do not know my Secretary of State Control Number?** If you do not know your Secretary of State Control number, you may search for it online at <http://tnbear.tn.gov/Ecommerce/FilingSearch.aspx> or by contacting the Secretary of State at (615) 741-2286.
- 11. What if I do not know my Federal Employer Identification Number?** All business entities, through which an individual is seeking exemption, including sole proprietors, must have an FEIN to apply for exemption. Contact the Internal Revenue Service at <http://www.irs.gov/businesses/small/index.html> or by calling 1-800-829-4933.
- 12. Where can I get more information about business license requirements?** A list of counties, cities, and municipalities and their business license requirements are available by contacting the Secretary of State Business Services Division at (615) 741-2286.
- 13. What is "good standing"?** Good standing means a corporation, limited liability company, or partnership is listed as active and in good standing on the records of the Secretary of State. To be active and in good standing you must have filed formation or registration documents with the Secretary of State and have filed all required annual reports and paid all fees. To be in good standing with the Tennessee Department of Revenue means the Secretary of State has received and verified that all fees, taxes, and penalties due to the Tennessee Department of Revenue have been paid.
- 14. How long is my exemption valid for?** Applicants who are listed on the registry prior to March 1, 2011 will be exempt as of March 1, 2011. Exemptions are valid for no less than two years. All registration notices will include an expiration date.
- 15. What if I received my registration notice and there is incorrect information listed?** Complete an Applicant Correction Form (ss-4526) available at <http://state.tn.us/sos/forms/4526.pdf>
- 16. What if my address, e-mail address, or telephone number changes?** Complete a Change of Address Form (ss-4524) available at <http://state.tn.us/sos/forms/4524.pdf>

- 17. What if I need to receive a copy of a registration notice?** Requests for copies of a registration notice may be obtained by completing the required form available at <http://tnbear.tn.gov/wc/ExemptionCopyInstr.aspx>, by printing a copy of the required form available at <http://state.tn.us/sos/forms/4525.pdf>, or by contacting the Secretary of State at (615) 741-2286. There is a filing fee of \$20.00 **per copy** requested.
- 18. I received a notice of revocation, what do I need to do to make sure my exemption is reinstated?** Complete an Application for Reinstatement Form (ss-4527) available at <http://state.tn.us/sos/forms/4527.pdf>, an Application Form (ss-4523) available at <http://state.tn.us/sos/forms/4523.pdf>, and submit the required filing fee.
- 19. What if I no longer wish to be exempt from workers' compensation coverage requirements?** An individual on the registry may voluntarily revoke their exemption at any time by completing a Voluntary Revocation Form (ss-4529) available at <http://state.tn.us/sos/forms/4529.pdf> and paying the filing fee of \$20.00.
- 20. When can I renew my exemption?** Sixty days prior to expiration, business owners will be able to renew their exemption by completing an Application for Renewal (ss-4528) available at <http://state.tn.us/sos/forms/4528.pdf> or online at <http://tnbear.tn.gov/WC/ExemptionRenewInstr.aspx>.