

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 95A, § 20(g)(7)(iii)C and (v)B and C and (8)(ix).

As to the substitution of the language "employment is insured under this title" for the former language "[e]mployment' includes" in subsection (a) of this section and the substitution of the language "employment is not insured under this title" for the former language "[e]mployment' does not include" in subsections (b) through (d) of this section, see the revisor's note to § 8-201 of this subtitle.

In subsection (d) of this section, the limit on compensation during a calendar quarter is revised to apply to organizations exempt under both § 501(A) and § 521 of the Internal Revenue Code to conform to § 3306(c)(10)(A) of the Federal Unemployment Tax Act, in which the pertinent language is identical except that a comma separates the limitation from the rest of the provision.

Defined term: "Covered employment" § 8-101

8-209. COMMISSION SALES.

(A) INSURANCE.

WORK THAT AN INSURANCE AGENT OR INSURANCE SOLICITOR PERFORMS FOR PAYMENT SOLELY BY COMMISSION IS NOT COVERED EMPLOYMENT.

(B) REAL ESTATE.

TO THE EXTENT THAT WORK IS EXEMPTED UNDER FEDERAL LAW, THE WORK THAT AN ASSOCIATE REAL ESTATE BROKER OR REAL ESTATE SALESPERSON PERFORMS FOR A LICENSED REAL ESTATE BROKER FOR PAYMENT BY COMMISSION IS NOT COVERED EMPLOYMENT.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 95A, § 20(g)(8)(xvii) and (xix).

In subsection (b) of this section, the reference to "an associate real estate broker" is added to conform to the addition of the position of associate real estate broker to the real estate broker law by Chapter 80 of the Laws of 1964.

Also in subsection (b) of this section, the term "real estate salesperson" is substituted for the former term "real estate salesmen", to conform to terminology used in the Real Estate Brokers title of the Business Occupations and Professions Article.

The Labor and Employment Article Review Committee notes, for consideration by the General Assembly, that subsection (a) of this section provides that employment is not insured if performed for payment "solely by commission", while subsection (b) provides that employment is not insured if performed for payment "by commission". The General Assembly may wish to conform these two provisions.