

HOUSE No. 1711

The Commonwealth of Massachusetts

PRESENTED BY:

Marjorie C. Decker

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act regarding independent contractors.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Marjorie C. Decker</i>	<i>25th Middlesex</i>	<i>1/17/2013</i>
<i>Carlos Henriquez</i>	<i>5th Suffolk</i>	
<i>Aaron Vega</i>	<i>5th Hampden</i>	
<i>John W. Scibak</i>	<i>2nd Hampshire</i>	
<i>Tackey Chan</i>	<i>2nd Norfolk</i>	
<i>Chris Walsh</i>	<i>6th Middlesex</i>	
<i>James M. Murphy</i>	<i>4th Norfolk</i>	
<i>Mary S. Keefe</i>	<i>15th Worcester</i>	
<i>Carl M. Sciortino, Jr.</i>	<i>34th Middlesex</i>	
<i>Thomas P. Conroy</i>	<i>13th Middlesex</i>	
<i>Paul McMurtry</i>	<i>11th Norfolk</i>	

HOUSE No. 1711

By Ms. Decker of Cambridge, a petition (accompanied by bill, House, No. 1711) of Marjorie C. Decker and others for legislation to exempt certain independent contractors from certain labor laws. Labor and Workforce Development.

The Commonwealth of Massachusetts

In the Year Two Thousand Thirteen

An Act regarding independent contractors.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 Section 1. Insert after Chapter 149, Section 147H, a new Section 147I:

2 (a) Any individual who has an independently established as (1) a freelance writer, editor,
3 proofreader or indexer in the publishing industry who works out of his or her own residence, or
4 (2) an artist, whose work constitutes intellectual property to which copyright laws apply and who
5 works out of his or her own residence or studio shall be exempt from the requirements of M.G.L.
6 c. 149, § 148B(2) for purposes of M.G.L. c. 149 and M.G.L. c. 151. This exception applies only
7 to the individual freelancer or artist and not to anyone working with or for that person.

8 (b) The exception from the requirements of M.G.L. c. 149, § 148B for purposes of
9 M.G.L. c. 149 and M.G.L. c. 151 provided in paragraph a of this section shall not apply to an
10 individual who has been coerced, threatened or intimidated into establishing an independent
11 business for an employer for purposes of evading M.G.L. c. 149 or M.G.L. c. 151.