

**HOUSE . . . . . No. 3458**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

***Daniel M. Donahue***

*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 relative to independent contractors.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Daniel M. Donahue</i>	<i>16th Worcester</i>	<i>1/15/2015</i>
<i>Mary S. Keefe</i>	<i>15th Worcester</i>	<i>12/30/2019</i>
<i>Paul McMurtry</i>	<i>11th Norfolk</i>	<i>12/30/2019</i>
<i>James J. O'Day</i>	<i>14th Worcester</i>	<i>12/30/2019</i>
<i>Louis L. Kafka</i>	<i>8th Norfolk</i>	<i>12/30/2019</i>
<i>Daniel Cullinane</i>	<i>12th Suffolk</i>	<i>12/30/2019</i>
<i>James J. Dwyer</i>	<i>30th Middlesex</i>	<i>12/30/2019</i>
<i>Thomas M. Petrolati</i>	<i>7th Hampden</i>	<i>12/30/2019</i>
<i>Michael D. Brady</i>	<i>Second Plymouth and Bristol</i>	<i>12/30/2019</i>
<i>John J. Mahoney</i>	<i>13th Worcester</i>	<i>12/30/2019</i>
<i>Denise Provost</i>	<i>27th Middlesex</i>	<i>12/30/2019</i>
<i>Chris Walsh</i>	<i>6th Middlesex</i>	<i>12/30/2019</i>

**HOUSE . . . . . No. 3458**

By Mr. Donahue of Worcester, a petition (accompanied by bill, House, No. 3458) of Daniel M. Donahue and others relative to certain employees in the publishing industry who work out of residences. Labor and Workforce Development.

**The Commonwealth of Massachusetts**

**In the One Hundred and Eighty-Ninth General Court  
(2015-2016)**

An Act relative to 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 148B of chapter 149 of the General Laws, as appearing in the 2012 Official  
2 Edition, is hereby amended by adding the following subsection:-

3 (f) An individual who is: (1) independently established as a freelance writer, editor,  
4 proofreader or indexer in the publishing industry and works out of his or her own residence; or  
5 (2) an artist, whose work constitutes intellectual property to which copyright laws apply and who  
6 works out of his or her own residence or studio, shall not be subject to the requirements of  
7 paragraph (2) of subsection (a). This exception shall only be available to an individual freelancer  
8 or artist and not to any individual working with or for that person. This exception shall not apply  
9 to any circumstance in which an individual freelancer or artist has been coerced, threatened or  
10 intimidated into establishing a work arrangement for another person for the purposes of  
11 exempting that person from the requirements of this chapter or chapter 151.