

HOUSE No. 1018

The Commonwealth of Massachusetts

PRESENTED BY:

Bradley H. Jones, Jr.

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>Bradley H. Jones, Jr.</i>	<i>20th Middlesex</i>	<i>1/19/2017</i>
<i>Susan Williams Gifford</i>	<i>2nd Plymouth</i>	<i>11/1/2017</i>
<i>Paul K. Frost</i>	<i>7th Worcester</i>	<i>11/1/2017</i>
<i>Todd M. Smola</i>	<i>1st Hampden</i>	<i>2/3/2017</i>
<i>Mathew Muratore</i>	<i>1st Plymouth</i>	<i>11/1/2017</i>
<i>Steven S. Howitt</i>	<i>4th Bristol</i>	<i>11/1/2017</i>
<i>F. Jay Barrows</i>	<i>1st Bristol</i>	<i>11/1/2017</i>
<i>Angelo L. D'Emilia</i>	<i>8th Plymouth</i>	<i>11/1/2017</i>
<i>David T. Vieira</i>	<i>3rd Barnstable</i>	<i>11/1/2017</i>
<i>Sheila C. Harrington</i>	<i>1st Middlesex</i>	<i>11/1/2017</i>
<i>Randy Hunt</i>	<i>5th Barnstable</i>	<i>11/1/2017</i>
<i>Nicholas A. Boldyga</i>	<i>3rd Hampden</i>	<i>11/1/2017</i>
<i>Joseph D. McKenna</i>	<i>18th Worcester</i>	<i>11/1/2017</i>
<i>Geoff Diehl</i>	<i>7th Plymouth</i>	<i>11/1/2017</i>
<i>Kevin J. Kuros</i>	<i>8th Worcester</i>	<i>11/1/2017</i>

HOUSE No. 1018

By Mr. Jones of North Reading, a petition (accompanied by bill, House, No. 1018) of Bradley H. Jones, Jr., and others relative to independent contractors. Labor and Workforce Development.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. 1725 OF 2015-2016.]

The Commonwealth of Massachusetts

**In the One Hundred and Ninetieth General Court
(2017-2018)**

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 1. Section 148B of chapter 149 of the Massachusetts General Laws, as
2 amended by section 26 of chapter 193 of the acts of 2004, is hereby amended by striking out
3 paragraph (a) and inserting in place the following new paragraph: -

4 (a) For the purpose of this chapter and chapter 151, an individual performing any service,
5 except as authorized under this chapter, shall be considered to be an employee under those
6 chapters unless:- (1) the individual is free from control and direction in connection with the
7 performance of the service, both under his contract for the performance of service and in fact;
8 and (2) the service is performed outside the usual course of the business of the employer; or, (3)
9 the individual is customarily engaged in an independently established trade, occupation,
10 profession or business of the same nature as that involved in the service performed.