

SENATE No. 1030

The Commonwealth of Massachusetts

PRESENTED BY:

Michael O. Moore

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 the creative economy.

PETITION OF:

| NAME: | DISTRICT/ADDRESS: | |
|-------------------------|-------------------------|-----------------|
| <i>Michael O. Moore</i> | <i>Second Worcester</i> | |
| <i>Paul R. Heroux</i> | <i>2nd Bristol</i> | <i>2/3/2017</i> |

SENATE No. 1030

By Mr. Moore, a petition (accompanied by bill, Senate, No. 1030) of Michael O. Moore and Paul R. Heroux for legislation relative to the creative economy. Labor and Workforce Development.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE SENATE, NO. 2451 OF 2015-2016.]

The Commonwealth of Massachusetts

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

An Act relative to the creative economy.

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 General Laws, as appearing in the 2014
2 Official Edition, is hereby amended by inserting after subsection (a) the following subsection:-
3 "(a^{1/2}) Notwithstanding subsection (a), an individual who is an artist, freelance writer,
4 editor, proofreader or indexer in the publishing industry shall be considered to be an employee
5 under this chapter and chapter 151 unless the individual: (i) freely and voluntarily identifies,
6 markets or promotes oneself as a freelancer, as self-employed, as a sole proprietor or as an
7 independent business; (ii) controls and regularly negotiates the use of the individual's intellectual
8 property; and (iii) meets the federal standards for being an independent contractor including, but
9 not limited to, standards developed by the United States Internal Revenue Service or Department
10 of Labor."