

**HOUSE . . . . . No. 1645**

---

**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>1/16/2019</i> |
| <i>Elizabeth A. Poirier</i>   | <i>14th Bristol</i>              | <i>1/17/2019</i> |
| <i>Susan Williams Gifford</i> | <i>2nd Plymouth</i>              | <i>1/17/2019</i> |
| <i>Paul K. Frost</i>          | <i>7th Worcester</i>             | <i>1/30/2019</i> |
| <i>Todd M. Smola</i>          | <i>1st Hampden</i>               | <i>1/31/2019</i> |
| <i>Randy Hunt</i>             | <i>5th Barnstable</i>            | <i>1/28/2019</i> |
| <i>Steven S. Howitt</i>       | <i>4th Bristol</i>               | <i>1/30/2019</i> |
| <i>Mathew J. Muratore</i>     | <i>1st Plymouth</i>              | <i>1/30/2019</i> |
| <i>Michael J. Soter</i>       | <i>8th Worcester</i>             | <i>1/31/2019</i> |
| <i>Shaunna L. O'Connell</i>   | <i>3rd Bristol</i>               | <i>2/1/2019</i>  |
| <i>Bruce E. Tarr</i>          | <i>First Essex and Middlesex</i> | <i>2/1/2019</i>  |

**HOUSE . . . . . No. 1645**

By Mr. Jones of North Reading, a petition (accompanied by bill, House, No. 1645) of Bradley H. Jones, Jr. and others relative to independent contractors. Labor and Workforce Development.

**The Commonwealth of Massachusetts**

**In the One Hundred and Ninety-First General Court  
(2019-2020)**

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 General Laws, as appearing in the 2016  
2 Official Edition, is hereby amended by striking out paragraph (a) and inserting in place thereof  
3 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.