

HOUSE No. 1652

The Commonwealth of Massachusetts

PRESENTED BY:

Mary S. Keefe

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:	DATE ADDED:
<i>Mary S. Keefe</i>	<i>15th Worcester</i>	<i>1/18/2019</i>
<i>John Barrett, III</i>	<i>1st Berkshire</i>	<i>1/28/2019</i>
<i>Julian Cyr</i>	<i>Cape and Islands</i>	<i>1/24/2019</i>
<i>James B. Eldridge</i>	<i>Middlesex and Worcester</i>	<i>1/29/2019</i>
<i>Carlos González</i>	<i>10th Hampden</i>	<i>2/1/2019</i>
<i>Stephan Hay</i>	<i>3rd Worcester</i>	<i>2/1/2019</i>
<i>Jonathan Hecht</i>	<i>29th Middlesex</i>	<i>1/28/2019</i>
<i>Natalie M. Higgins</i>	<i>4th Worcester</i>	<i>1/24/2019</i>
<i>David Henry Argosky LeBoeuf</i>	<i>17th Worcester</i>	<i>1/23/2019</i>
<i>Jason M. Lewis</i>	<i>Fifth Middlesex</i>	<i>1/23/2019</i>
<i>David Paul Linsky</i>	<i>5th Middlesex</i>	<i>1/23/2019</i>
<i>Denise Provost</i>	<i>27th Middlesex</i>	<i>2/1/2019</i>
<i>Jon Santiago</i>	<i>9th Suffolk</i>	<i>1/31/2019</i>

HOUSE No. 1652

By Ms. Keefe of Worcester, a petition (accompanied by bill, House, No. 1652) of Mary S. Keefe and others relative to persons performing job-related services. Labor and Workforce Development.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. 1043 OF 2017-2018.]

The Commonwealth of Massachusetts

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

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.