

SENATE No. 1079

The Commonwealth of Massachusetts

PRESENTED BY:

Donald F. Humason, 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:

Donald F. Humason, Jr.

DISTRICT/ADDRESS:

Second Hampden and Hampshire

SENATE No. 1079

By Mr. Humason, a petition (accompanied by bill, Senate, No. 1079) of Donald F. Humason, Jr. for legislation relative to independent contractors. Labor and Workforce Development.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE SENATE, NO. 1015 OF 2017-2018.]

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 Massachusetts General Laws, as
2 amended by section 26 of chapter 193 of the acts of 2016, is hereby amended by striking out
3 paragraph (a) and inserting in place the following new paragraph:- (a) For the purpose of this
4 chapter and chapter 151, an individual performing any service, except as authorized under this
5 chapter, shall be considered to be an employee under those chapters unless:- (1) the individual is
6 free from control and direction in connection with the performance of the service, both under his
7 contract for the performance of service and in fact; and (2) the service is performed outside the
8 usual course of the business of the employer; or, (3) the individual is customarily engaged in an
9 independently established trade, occupation, profession or business of the same nature as that
10 involved in the service performed.