

HOUSE No. 1902

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>1/17/2023</i>
<i>Nicholas A. Boldyga</i>	<i>3rd Hampden</i>	<i>1/26/2023</i>
<i>Susan Williams Gifford</i>	<i>2nd Plymouth</i>	<i>1/26/2023</i>
<i>F. Jay Barrows</i>	<i>1st Bristol</i>	<i>1/26/2023</i>
<i>Angelo L. D'Emilia</i>	<i>8th Plymouth</i>	<i>1/29/2023</i>
<i>Paul K. Frost</i>	<i>7th Worcester</i>	<i>1/31/2023</i>
<i>Kimberly N. Ferguson</i>	<i>1st Worcester</i>	<i>1/31/2023</i>

HOUSE No. 1902

By Representative Jones of North Reading, a petition (accompanied by bill, House, No. 1902) 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-Third General Court
(2023-2024)**

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 2020
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.