

HOUSE No. 3313

The Commonwealth of Massachusetts

PRESENTED BY:

Shaunna O'Connell

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 passage of the accompanying:

An Act allowing voluntary registration of independent contractors.

PETITION OF:

| NAME: | DISTRICT/ADDRESS: |
|-------------------------------|----------------------------------|
| <i>Shaunna O'Connell</i> | <i>3rd Bristol</i> |
| <i>Matthew A. Beaton</i> | <i>11th Worcester</i> |
| <i>Geoff Diehl</i> | <i>7th Plymouth</i> |
| <i>Peter J. Durant</i> | <i>6th Worcester</i> |
| <i>Kimberly N. Ferguson</i> | <i>1st Worcester</i> |
| <i>Donald F. Humason, Jr.</i> | <i>4th Hampden</i> |
| <i>Leonard Mirra</i> | <i>2nd Essex</i> |
| <i>Keiko M. Orrall</i> | <i>12th Bristol</i> |
| <i>Bruce E. Tarr</i> | <i>First Essex and Middlesex</i> |
| <i>David T. Vieira</i> | <i>3rd Barnstable</i> |

HOUSE No. 3313

By Mrs. O'Connell of Taunton, a petition (accompanied by bill, House, No. 3313) of Shaunna O'Connell and others relative to allowing voluntary registration of independent contractors. Labor and Workforce Development.

The Commonwealth of Massachusetts

An Act allowing voluntary registration of 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 148B of chapter 149 of the General Laws, as appearing in the 2010 Official
2 Edition, is hereby amended by inserting after the word “performed”, in line 9, the following
3 words:-- ; however, an individual shall not be considered to be an employee of the clients or
4 customers served under contract if the individual has registered online with the department of
5 revenue as pursuing a livelihood as an independent contractor at a trade, occupation, profession,
6 or business and attested to all of the following: (i) the registration is entirely voluntary, meaning
7 free from coercion by a client or customer or employer; (ii) the individual is enrolled as a
8 payroll-tax paying entity with the department of revenue and other state agencies listed in the
9 online registration as overseeing employment compliance; (iii) the individual is pursuing
10 multiple client or customer relationships for the trade, occupation, profession or business; and
11 (iv) the individual agrees to keep auditable records of client or customer relationships.