

HOUSE No. 3458

The Commonwealth of Massachusetts

PRESENTED BY:

Daniel M. Donahue

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:
<i>Daniel M. Donahue</i>	<i>16th Worcester</i>
<i>Mary S. Keefe</i>	<i>15th Worcester</i>
<i>Paul McMurtry</i>	<i>11th Norfolk</i>
<i>James J. O'Day</i>	<i>14th Worcester</i>
<i>Louis L. Kafka</i>	<i>8th Norfolk</i>
<i>Daniel Cullinane</i>	<i>12th Suffolk</i>
<i>James J. Dwyer</i>	<i>30th Middlesex</i>
<i>Thomas M. Petrolati</i>	<i>7th Hampden</i>
<i>Michael D. Brady</i>	<i>9th Plymouth</i>
<i>John J. Mahoney</i>	<i>13th Worcester</i>
<i>Denise Provost</i>	<i>27th Middlesex</i>
<i>Chris Walsh</i>	<i>6th Middlesex</i>

HOUSE No. 3458

By Mr. Donahue of Worcester, a petition (accompanied by bill, House, No. 3458) of Daniel M. Donahue and others relative to certain employees in the publishing industry who work out of residences. Labor and Workforce Development.

The Commonwealth of Massachusetts

**In the One Hundred and Eighty-Ninth General Court
(2015-2016)**

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 148B of chapter 149 of the General Laws, as appearing in the 2012 Official
2 Edition, is hereby amended by adding the following subsection:-

3 (f) An individual who is: (1) independently established as a freelance writer, editor,
4 proofreader or indexer in the publishing industry and works out of his or her own residence; or
5 (2) an artist, whose work constitutes intellectual property to which copyright laws apply and who
6 works out of his or her own residence or studio, shall not be subject to the requirements of
7 paragraph (2) of subsection (a). This exception shall only be available to an individual freelancer
8 or artist and not to any individual working with or for that person. This exception shall not apply
9 to any circumstance in which an individual freelancer or artist has been coerced, threatened or
10 intimidated into establishing a work arrangement for another person for the purposes of
11 exempting that person from the requirements of this chapter or chapter 151.