

CHAPTER 138
HB 361 – FINAL VERSION

11Mar2015... 0132h
6May2015... 1726EBA

2015 SESSION

15-0853
06/05

HOUSE BILL **361**

AN ACT establishing a committee to study the definition of “employee” and the application of that definition to persons who work exclusively at home via the Internet for online business activities.

SPONSORS: Rep. Infantine, Hills 13

COMMITTEE: Labor, Industrial and Rehabilitative Services

AMENDED ANALYSIS

This bill establishes a committee to study the definition of "employee" and the application of that definition to persons who work exclusively at home via the Internet for online business activities.

Explanation: Matter added to current law appears in ***bold italics***.
 Matter removed from current law appears [~~in brackets and struck through~~].
 Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

CHAPTER 138
HB 361 – FINAL VERSION

11Mar2015... 0132h
6May2015... 1726EBA

15-0853
06/05

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Fifteen

AN ACT establishing a committee to study the definition of “employee” and the application of that definition to persons who work exclusively at home via the Internet for online business activities.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 138:1 Statement of Purpose. The general court recognizes that the technology sector is an
2 increasingly important part of our economy and that supporting and encouraging technology driven
3 businesses to locate and expand in New Hampshire will benefit our citizenry with high-wage career
4 opportunities and spin-off economic benefits.

5 138:2 Committee Established. There is established a committee to study the definition of
6 “employee” and the application of that definition to persons who work exclusively at home via the
7 Internet for online business activities.

8 138:3 Membership and Compensation.

9 I. The members of the committee shall be as follows:

10 (a) Four members of the house of representatives, appointed by the speaker of the house
11 of representatives.

12 (b) One member of the senate, appointed by the president of the senate.

13 II. Members of the committee shall receive mileage at the legislative rate when attending to
14 the duties of the committee.

15 138:4 Duties.

16 I. The committee shall:

17 (a) Investigate how many persons are working exclusively at home via the Internet for
18 online business activities and are currently considered employees in both the public and private
19 sector.

20 (b) Analyze and propose changes, if any, to state laws which define employee, including,
21 but not limited to: RSA 275:4, II, RSA 275:42, II, RSA 275-E:1, I, and RSA 279:1, X.

22 (c) Identify other states’ definitions of employee pertaining to persons who may be
23 working exclusively at home via the Internet for online business activities.

24 (d) Analyze the potential impact and the economic advantages and disadvantages in
25 New Hampshire of any proposed legislation.

26 II. The committee may work with and obtain information from the following individuals,
27 state agencies, and organizations, and others as deemed appropriate:

CHAPTER 138
HB 361 – FINAL VERSION
- Page 2 -

- 1 (a) Persons who are working from home.
- 2 (b) Employers of persons who are working from home.
- 3 (c) The department of labor.
- 4 (d) The department of employment security.

5 138:5 Chairperson; Quorum. The first-named house member shall be the committee
6 chairperson. The first meeting of the committee shall be called by the committee chairperson. The
7 first meeting of the committee shall be held within 45 days of the effective date of this section. Three
8 members of the committee shall constitute a quorum.

9 138:6 Report. The committee shall report its findings and any recommendations for proposed
10 legislation to the speaker of the house of representatives, the president of the senate, the house
11 clerk, the senate clerk, the governor, and the state library on or before November 1, 2015.

12 138:7 Effective Date. This act shall take effect upon its passage.

13

14 Approved: June 12, 2015

15 Effective Date: June 12, 2015