[First Reprint]

SENATE, No. 2782

STATE OF NEW JERSEY

222nd LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2026 SESSION

Sponsored by:
Senator GORDON M. JOHNSON
District 37 (Bergen)
Senator PAUL A. SARLO
District 36 (Bergen and Passaic)

Co-Sponsored by:
Senators Turner and Wimberly

SYNOPSIS

Clarifies choice of independent contractor status for certain licensed or regulated professionals.

CURRENT VERSION OF TEXT

As reported by the Senate Budget and Appropriations Committee on June 4, 2026, with amendments.

(Sponsorship Updated As Of: 6/18/2026)

AN ACT concerning independent contractor status of certain regulated professions and supplementing Title 34 of the Revised Statutes.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. a. Notwithstanding any law, rule, or regulation to the contrary, a person shall not be classified as an employee for any purpose under any law, rule, or regulation of this State if:

(1) the person performs services pursuant to a written agreement that describes the person as an independent contractor, which shall apply for the duration of the written agreement; and

(2) the person is:

(a) an insurance producer licensed by the Department of Banking and Insurance under the "New Jersey Insurance Producer Licensing Act of 2001," P.L.2001, c.210 (C.17:22A-26 et seq.);

(b) a broker-dealer, agent, investment adviser, or investment adviser representative registered or regulated by the New Jersey Bureau of Securities pursuant to the "Uniform Securities Law (1997)," P.L.1967, c.93 (C.49:3-47 et seq.), or registered or regulated by the federal Securities and Exchange Commission pursuant to the provisions of the "Securities Act of 1933," (15 U.S.C. s.77a et seq.), the "Securities Exchange Act of 1934," (15 U.S.C. s.78a et seq.), the "Investment Company Act of 1940," (15 U.S.C. s.80a-1 et seq.), or the "Investment Advisers Act of 1940," (15 U.S.C. s.80b-1 et seq.);

(c) [1]**[**an individual who operates a motor vehicle to deliver or pick up freight from a marine terminal or rail facility and satisfies the criteria for exemption from the definition of "employment" as defined under R.S.43:21-19(i)(7)(X); or

(d)**]** an individual who performs motor club services pursuant to a written agreement with a motor club or a third party contracting with a motor club; or

(d)[1] in compliance with the criteria for exemption from the definition of "employment" as defined under R.S.43:21-19(i)(7)(J) in order to be deemed an independent contractor under the "unemployment compensation law," R.S.43:21-1 et seq.

b. Notwithstanding any law, rule, or regulation in the State, the regulated or licensed professionals included in subsection a. of this section shall not be required to satisfy any additional test to be deemed an independent contractor, including, but not limited to, the tests set forth at or applied to P.L.1965, c.173 (C.34:11-4.1 et seq.)

EXPLANATION – Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.
Matter enclosed in superscript numerals has been adopted as follows:
[1]Senate SBA committee amendments adopted June 4, 2026.

and the "New Jersey State Wage and Hour Law," P.L.1966, c.113 (C.34:11-56a et seq.).

2. This act shall take effect immediately and shall apply retroactively to any written agreement entered into before or after the effective date of this act for the purpose of enforcing but not changing the terms of that agreement.