

BRIAN BENNETT, DIRECT SELLING ASSOCIATION
PROPOSED AMENDMENT TO HB 773
FEBRUARY 16, 2016

21 V.S.A. § 601(14) is added to read:

(I) Services performed by a direct seller if the individual is in compliance with all the following:

(i) The individual is engaged in the trade or business of selling or soliciting the sale of consumer products, including services or other intangibles, in the home or a location other than in a permanent retail establishment, including whether the sale or solicitation of a sale is to any buyer on a buy-sell basis, a deposit-commission basis, or any similar basis for resale by the buyer or any other person.

(ii) Substantially all the remuneration, whether or not received in cash, for the performance of the services described in subdivision (i) of this subdivision (14)(I) is directly related to sales or other output, including the performance of services, rather than to the number of hours worked.

(iii) The services performed by the individual are performed pursuant to a written contract between the individual and the person for whom the services are performed, and the contract provides that the individual will not be treated as an employee for federal and state tax purposes.