

118TH CONGRESS
1ST SESSION

H. R. 5146

To require the Secretary of Commerce to conduct a study on the gig economy and the impact the gig economy has on the United States overall economy, including the impact that State laws have had on the gig economy.

IN THE HOUSE OF REPRESENTATIVES

AUGUST 4, 2023

Mr. JOYCE of Pennsylvania (for himself and Mr. PENCE) introduced the following bill; which was referred to the Committee on Energy and Commerce

A BILL

To require the Secretary of Commerce to conduct a study on the gig economy and the impact the gig economy has on the United States overall economy, including the impact that State laws have had on the gig economy.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Advancing Gig Econ-
5 omy Act”.

6 **SEC. 2. GIG ECONOMY STUDY.**

7 (a) IN GENERAL.—

1 (1) STUDY REQUIRED.—The Secretary of Com-
2 merce shall conduct a study on the impact of the gig
3 economy on United States businesses conducting
4 interstate commerce.

5 (2) REQUIREMENTS FOR STUDY.—In con-
6 ducting such study, the Secretary shall—

7 (A) develop and conduct a survey of the
8 gig economy through outreach to entities par-
9 ticipating in the gig economy to—

10 (i) establish a list of industry sectors
11 that participate in the gig economy;

12 (ii) review and briefly explain the im-
13 pact the gig economy has on the United
14 States economy, including any benefits or
15 detriments; and

16 (iii) review the impact the gig econ-
17 omy has on innovation, startups, and small
18 businesses;

19 (B) develop and conduct a survey of Fed-
20 eral activity on the gig economy to—

21 (i) develop a comprehensive list of
22 Federal agencies asserting jurisdiction over
23 the entities and sectors participating in the
24 gig economy;

1 (ii) identify all interagency activities
2 related to the gig economy;

3 (iii) develop a brief description of the
4 jurisdiction and expertise of the Federal
5 agencies listed under clause (i) as it relates
6 to the gig economy; and

7 (iv) identify all regulations, guidelines,
8 or any other policy implemented by such
9 Federal agencies with respect to the gig
10 economy; and

11 (C) develop and conduct a survey of State
12 laws enacted on the gig economy to—

13 (i) determine the impact such laws
14 have had on the gig economy, including in
15 the transportation and mobility industry
16 sector, the media and journalism industry
17 sector, and any other industry sector im-
18 pacted by such laws in each State; and

19 (ii) determine the impact such State
20 laws have on the United States economy.

21 (b) REPORT TO CONGRESS.—Not later than 2 years
22 after the date of the enactment of this Act, the Secretary
23 of Commerce shall submit to the Committee on Energy
24 and Commerce of the House of Representatives and the

1 Committee on Commerce, Science, and Transportation of
2 the Senate a report that contains—

3 (1) the results of the study conducted under
4 subsection (a);

5 (2) any recommendations to—

6 (A) address duplicative Federal rules, Fed-
7 eral regulations, or any Federal activity acting
8 as a barrier to the growth of the gig economy;

9 (B) develop and implement a comprehen-
10 sive plan to promote the growth of the gig econ-
11 omy; and

12 (C) develop policies that States can adopt
13 to encourage the growth of the gig economy in
14 each State; and

15 (3) any recommendations for legislation nec-
16 essary to accomplish the recommendations made
17 under paragraph (2).

18 (c) GIG ECONOMY DEFINED.—

19 (1) IN GENERAL.—In this section, the term
20 “gig economy” means, collectively, the activities con-
21 ducted by entities described in paragraph (2).

22 (2) ENTITIES DESCRIBED.—An entity described
23 in this paragraph is a business entity that—

24 (A) maintains an online-enabled applica-
25 tion or platform to facilitate the exchange of

1 goods or services by users of the online-enabled
2 application or platform; and

3 (B) does not require a person using the
4 online-enabled application or platform to gen-
5 erate business to accept any specific job request
6 as a condition of maintaining access to the on-
7 line-enabled application or platform.

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