

117TH CONGRESS  
1ST SESSION

# H. R. 41

To amend Rule 23 of the Federal Rules of Civil Procedure to protect the “gig economy” and small businesses that operate in large part through contractor services from the threat of costly class action litigation, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

JANUARY 4, 2021

Mr. BIGGS introduced the following bill; which was referred to the Committee on the Judiciary

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## A BILL

To amend Rule 23 of the Federal Rules of Civil Procedure to protect the “gig economy” and small businesses that operate in large part through contractor services from the threat of costly class action litigation, and for other purposes.

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 “Protect the Gig Econ-  
5 omy Act of 2021”.

1 **SEC. 2. PROTECTING THE GIG ECONOMY FROM CLASS AC-**  
2 **TIONS.**

3 Rule 23(a) of the Federal Rules of Civil Procedure  
4 is amended—

5 (1) in paragraph (3), by striking “and” at the  
6 end;

7 (2) in paragraph (4), by striking the period at  
8 the end and inserting “; and”; and

9 (3) by inserting after paragraph (4) the fol-  
10 lowing:

11 “(5) the claim does not allege the misclassifica-  
12 tion of employees as independent contractors.”.

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