



General Assembly

Raised Bill No. 849

January Session, 2019

LCO No. 4115



Referred to Committee on GENERAL LAW

Introduced by:
(GL)

AN ACT CONCERNING CHANGE ORDERS IN CONSTRUCTION CONTRACTS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subsection (a) of section 42-158j of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective*
3 *October 1, 2019*):

4 (a) Each construction contract shall contain the following
5 provisions: (1) A requirement that the owner pay any amounts due to
6 any contractor in a direct contractual relationship with the owner, or
7 due to any subcontractor or supplier in a direct contractual
8 relationship with the contractor, whether for labor performed or
9 materials furnished, not later than thirty days after the date any
10 written request for such payment has been made to the owner by such
11 contractor, subcontractor or supplier; (2) a requirement that the
12 contractor pay any amounts due any subcontractor or supplier,
13 whether for labor performed or materials furnished, not later than
14 thirty days after the date the contractor receives payment from the
15 owner which encompasses labor performed or materials furnished by
16 such subcontractor or supplier; [and] (3) a requirement that the

17 contractor shall include in each of its subcontracts a provision
18 requiring each subcontractor and supplier to pay any amounts due any
19 of its subcontractors or suppliers, whether for labor performed or
20 materials furnished, not later than thirty days after the date such
21 subcontractor or supplier receives a payment from the contractor
22 which encompasses labor performed or materials furnished by such
23 subcontractor or supplier; and (4) a requirement that, for all pending
24 or approved change orders or directives to perform extra work totaling
25 twenty-five thousand dollars or more, the minimum allowable rate of
26 overhead and profit to be paid to any contractor or subcontractor who
27 performs such extra work shall be not less than fifteen per cent of the
28 total value of such extra work, including, but not limited to, the costs
29 of all labor, direct supervision, material and equipment required to
30 perform such extra work.

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| This act shall take effect as follows and shall amend the following sections: | | |
| Section 1 | October 1, 2019 | 42-158j(a) |

GL *Joint Favorable*