

2011 -- H 5042

LC00011

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2011

A N A C T

RELATING TO PUBLIC PROPERTY AND WORKS -- LABOR AND PAYMENT OF DEBTS
BY CONTRACTORS

Introduced By: Representatives Edwards, Azzinaro, DaSilva, Newberry, and Brien

Date Introduced: January 18, 2011

Referred To: House Labor

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 37-13-13 of the General Laws in Chapter 37-13 entitled "Labor and
2 Payment of Debts by Contractors" is hereby amended to read as follows:

3 **37-13-13. Furnishing payroll record to director of labor and training.** -- (a) Every
4 contractor and subcontractor awarded a contract for public works as defined by this chapter shall
5 furnish a certified copy of his or her payroll records of his or her employees employed upon the
6 project to the director of labor and training on a monthly basis for the preceding month's work.
7 once approved by the awarding authority. With respect to any contract awarded for public works,
8 the awarding authority is only responsible for ensuring that the contract contains these provisions.
9 The awarding authority is not obligated to follow the progress of the contract nor enforce its
10 provisions.

11 (b) The director of labor and training may promulgate reasonable rules and regulations to
12 enforce the provisions of this section.

13 (c) Any contractor or subcontractor who fails to comply with the provisions of this
14 section shall be deemed guilty of a misdemeanor and shall pay to the director of labor and
15 training five hundred dollars (\$500) for each calendar day of noncompliance as determined by the
16 director of labor and training. Any of those revenues shall be deposited as general revenues. Any
17 person, firm, or corporation found to have willfully made a false or fraudulent representation in
18 connection with reporting their certified payroll records shall be required to pay a civil penalty to

1 the department of labor and training in an amount of no less than one thousand dollars (\$1,000)
2 and not greater than three thousand dollars (\$3,000) per representation. For purposes of this
3 subsection "willfully" shall mean representations that are known to be false, or representations
4 made with deliberate ignorance or reckless disregard for their truth or falsity.

5 SECTION 2. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

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1 This act would require contractors and subcontractors who are awarded projects for
2 public works contracts to furnish payroll records to the director of labor and training on a monthly
3 basis, and to the awarding authority on a weekly basis.

4 This act would take effect upon passage.

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