

2010 -- S 2372

LC00554

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2010

A N A C T

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

Introduced By: Senators Ruggerio, Goodwin, McCaffrey, McBurney, and Gallo

Date Introduced: February 11, 2010

Referred To: Senate 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** **Furnishing**
4 **payroll record to awarding authority.** – (a) ~~Each~~ Every contractor and subcontractor awarded a
5 contract for public works as defined by this chapter ~~with a contract price in excess of one~~
6 ~~thousand dollars (\$1,000) for public works, and each subcontractor who performs work on public~~
7 ~~works,~~ shall furnish a ~~certified~~ copy of his or her Rhode Island department of labor and training
8 certified weekly payroll ~~record~~ records form of his or her employees employed upon the ~~public~~
9 ~~works~~ project to the appointing authority ~~director of labor and training~~ on a ~~weekly~~ monthly basis
10 for the preceding ~~week~~ months work.

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

13 (c) ~~A~~ 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 ~~one hundred dollars (\$100)~~ five hundred dollars (\$500) for each calendar day of
16 noncompliance as determined by the director of labor and training. Any of those revenues shall be
17 deposited as general revenues. Any person, firm, or corporation found to have willfully made a
18 false or fraudulent representation in connection with reporting their certified payroll records shall

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

6 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 appointing authority on a monthly basis.
- 3 This act would take effect upon passage.

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