



February 25, 1999

HOUSE BILL No. 1609

DIGEST OF HB 1609 (Updated February 24, 1999 12:49 pm - DI 96)

Citations Affected: IC 5-16.

Synopsis: Wage schedule of public works projects. Provides that a contractor or subcontractor receiving a public works contract must file a schedule of wages to be paid to the workers on the project with the state or the municipal corporation letting the contract and with the state department of labor. Provides that a contractor or subcontractor that fails to pay the rate of wages on the schedule more than 2 times is prohibited from bidding for or conducting work on a public works project for a period of three years after the date of the last violation.

Effective: July 1, 1999.

Liggett

January 21, 1999, read first time and referred to Committee on Labor and Employment.
February 24, 1999, amended, reported — Do Pass.

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HB 1609—LS 7562/DI 94+



February 25, 1999

First Regular Session 111th General Assembly (1999)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 1998 General Assembly.

HOUSE BILL No. 1609

A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 5-16-7-2 IS AMENDED TO READ AS FOLLOWS
2 [EFFECTIVE JULY 1, 1999]: Sec. 2. The state or any municipal
3 corporation thereof letting any such contracts shall require any
4 contractor or subcontractor performing such public work to file a
5 schedule of the wages to be paid to such laborers, workmen, or
6 mechanics thereon with:

7 (1) the state or with such municipal corporation; **and**

8 (2) **the state department of labor.**

9 Such schedule shall be filed before any work is performed on such
10 contract or subcontract; provided, such scale shall not be less than the
11 scale determined as provided in section 1 of this chapter; provided
12 further, that nothing in this chapter provided shall prevent such
13 contractor or subcontractor from paying a higher rate of wages than set
14 out in the schedule of wages filed by him.

15 SECTION 2. IC 5-16-7-3 IS AMENDED TO READ AS FOLLOWS
16 [EFFECTIVE JULY 1, 1999]: Sec. 3. (a) A contractor or subcontractor
17 who knowingly fails to pay the rate of wages determined under this

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1 chapter commits a Class B misdemeanor. If the contractor or
2 subcontractor has committed a prior offense under this section, the
3 contract on which the instant offense occurred shall be forfeited and the
4 contractor or subcontractor may not receive any further payment on the
5 contract nor may the state or the municipal corporation making the
6 contract make any further payments on the contract from any of the
7 funds under its charge or control.

8 **(b) In addition to the penalty in subsection (a), a contractor or**
9 **subcontractor that knowingly fails to pay the rate of wages**
10 **determined under this chapter more than two (2) times is**
11 **prohibited from bidding for or conducting work on any public**
12 **work by the state, a political subdivision, or a municipal**
13 **corporation for a period of three (3) years after the date of the last**
14 **violation. The state department of labor shall investigate and**
15 **determine violations of this subsection. Conviction of a criminal**
16 **violation by a court is not necessary for the department of labor to**
17 **make a finding of a violation.**

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COMMITTEE REPORT

Mr. Speaker: Your Committee on Labor and Employment, to which was referred House Bill 1609, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Delete everything after the enacting clause and insert the following:

(SEE TEXT OF BILL)

and when so amended that said bill do pass.

(Reference is to HB 1609 as introduced.)

LIGGETT, Chair

Committee Vote: yeas 10, nays 1.

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