



## Senate

General Assembly

**File No. 241**

February Session, 2002

Substitute Senate Bill No. 349

*Senate, April 2, 2002*

The Committee on Planning and Development reported through SEN. DAILY of the 33rd Dist., Chairperson of the Committee on the part of the Senate, that the substitute bill ought to pass.

### **AN ACT CONCERNING RESPONSIBLE CONTRACTING.**

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

1 Section 1. Section 31-286b of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective October 1, 2002*):

3 (a) Prior to issuing a building permit pursuant to section 29-263 to  
4 any person other than a sole proprietor or property owner unless such  
5 sole proprietor or property owner is acting as a general contractor or  
6 principal employer, a local building official shall require proof of  
7 workers' compensation coverage for all employees, as defined in  
8 section 31-275, as amended, who are employed by an employer, as  
9 defined in said section, who are engaged to perform services on the  
10 site of the construction project for which the permit was issued.

11 (b) As used in subsection (a) of this section, "proof of workers'  
12 compensation coverage" means (1) a written certificate of insurance

13 provided by the general contractor or principal employer, or any sole  
 14 proprietor or property owner acting as a general contractor or  
 15 principal employer, or (2) a certificate from the Workers'  
 16 Compensation Commissioner indicating that the general contractor or  
 17 principal employer, or any sole proprietor or property owner acting as  
 18 a general contractor or principal employer, has properly chosen not to  
 19 obtain workers' compensation coverage pursuant to section 31-275, as  
 20 amended. [, or (3) if a property owner or sole proprietor intends to act  
 21 as a general contractor or principal employer, a written certificate of  
 22 insurance or a sworn notarized affidavit, which he shall provide,  
 23 stating that he will require proof of workers' compensation insurance  
 24 for all those employed on the job site in accordance with the provisions  
 25 of this chapter.] A local building official shall require proof of workers'  
 26 compensation coverage only at the time of the general contractor's or  
 27 principal employer's or any said sole proprietor's or property owner's  
 28 initial application.

This act shall take effect as follows:	
Section 1	October 1, 2002

**HSG**      *Joint Favorable Subst. C/R*      PD

**PD**      *Joint Favorable*

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either House thereof for any purpose:

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***OFA Fiscal Note***

***State Impact:*** None

***Municipal Impact:*** None

**OLR Bill Analysis**

sSB 349

**AN ACT CONCERNING RESPONSIBLE CONTRACTING****SUMMARY:**

This bill changes the kind of proof of workers' compensation insurance sole proprietors and property owners must provide a building official before he can give them a building permit. The law requires these parties to provide the proof only if they intend to act as their own general contractor or principal employer. In these cases, current law allows them to provide either a written certificate of insurance or a notarized affidavit swearing to require proof of workers' compensation coverage for everyone employed on the job site.

The bill eliminates the notarized affidavit option and instead requires sole proprietors and property owners to provide the same type of documentation required by contractors and other principal employers: either a written certificate of insurance they provide or a certificate issued by the workers' compensation commissioner attesting that the law legally excludes them from providing workers' compensation coverage.

The law, unaffected by the bill, does not require sole proprietors and principal owners to provide proof of workers' compensation coverage when they are doing the work themselves and not as a general contractor or sole employer.

EFFECTIVE DATE: October 1, 2002

**COMMITTEE ACTION**

Select Committee on Housing

Joint Favorable Substitute Change of Reference

Yea 10 Nay 2

Planning and Development Committee

Joint Favorable Report  
Yea 13    Nay 4