



General Assembly

Substitute Bill No. 960

January Session, 2003

AN ACT CONCERNING DEBARMENT REFORM.

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

1 Section 1. Section 31-53a of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2003*):

3 (a) The State Comptroller or the contracting authority acting
4 pursuant to section 31-53 is hereby authorized and directed to pay to
5 mechanics, laborers and [workmen] workers from any accrued
6 payments withheld under the terms of a contract terminated pursuant
7 to subsection (b) of said section 31-53 any wages found to be due such
8 mechanics, laborers and [workmen] workers pursuant to said section
9 31-53. The Labor Commissioner is further authorized and directed to
10 distribute a list to all departments of the state and political
11 subdivisions [thereof] of the state giving the names of persons or firms
12 whom [he] the Labor Commissioner has found to have disregarded
13 their obligations under said section 31-53 and section 31-76c to
14 employees and subcontractors on public works projects or to have
15 been barred from federal government contracts in accordance with the
16 provisions of the Davis-Bacon Act, 49 Stat. 1011 (1931), 40 USC 276a-2.

17 (b) (1) No contract shall be awarded by the state or any of its
18 political subdivisions to the persons or firms appearing on [this] the
19 list distributed by the Labor Commissioner pursuant to subsection (a)

20 of this section or to any firm, corporation, partnership, or association in
21 which such persons or firms have an interest until a period of up to
22 three years, as determined by the Labor Commissioner, has elapsed
23 from the date of publication of the list containing the names of such
24 persons or firms.

25 (2) No general contractor that enters into a contract with the state or
26 any of its agents, or with any political subdivision of the state or any of
27 its agents, for the construction, remodeling, refinishing, refurbishing,
28 rehabilitation, alteration or repair of any public works project subject
29 to the provisions of section 31-53, or for any state highway project that
30 falls under the provisions of section 31-54, shall award any work under
31 such contract to the persons or firms appearing on the list distributed
32 by the Labor Commissioner pursuant to subsection (a) of this section
33 or to any firm, corporation, partnership or association in which such
34 persons or firms have an interest until a period of up to three years, as
35 determined by the Labor Commissioner, has elapsed from the date of
36 publication of the list containing the names of such persons or firms.

37 (3) Prior to performing any work under a contract for the
38 construction, remodeling, refinishing, refurbishing, rehabilitation,
39 alteration or repair of any public works project subject to the
40 provisions of section 31-53, or for any state highway project that falls
41 under the provisions of section 31-54, each person, firm, corporation,
42 partnership or association engaged by a general contractor to perform
43 such work shall submit a sworn affidavit to the general contractor
44 attesting that such person, firm, corporation, partnership or association
45 does not hold an interest of ten per cent or greater in a firm appearing
46 on the list distributed by the Labor Commissioner pursuant to
47 subsection (a) of this section.

48 (4) Any person or firm that appears on the list distributed by the
49 Labor Commissioner pursuant to subsection (a) of this section, for a
50 period of up to three years from the date of publication of such list,
51 shall be liable to the Labor Department for a civil penalty of one
52 thousand dollars for each day or part of a day in which such person or

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TRA *Joint Favorable*