



General Assembly

February Session, 2008

**Raised Bill No. 5740**

LCO No. 2397

\*02397\_\_\_\_\_TRA\*

Referred to Committee on Transportation

Introduced by:  
(TRA)

**AN ACT CONCERNING PROMPT PAYMENT OF AMOUNTS DUE A PUBLIC SERVICE FACILITY OWNER FOR WORK SUBJECT TO A BOND.**

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

1 Section 1. (NEW) (*Effective October 1, 2008*) The owner of a public  
2 service facility, as defined in section 13a-126 of the 2008 supplement to  
3 the general statutes, located within, on, along, over or under any land  
4 comprising the right-of-way of a state highway or any other public  
5 highway, may elect to post a bond in the amount of two million dollars  
6 for work performed in compliance with an order issued by the  
7 Commissioner of Transportation pursuant to chapter 238 of the general  
8 statutes (1) requiring that such facilities be readjusted or relocated in,  
9 or removed from such right-of-way, and (2) providing for  
10 reimbursement for some or all of the costs incurred by the owner to  
11 comply with such orders. The commissioner shall have recourse for  
12 payment from such bond for costs associated with noncompliant work  
13 covered by such bond, upon failure of the owner to pay any amount  
14 assessed by the commissioner for noncompliant work within sixty  
15 days after such owner is given notice of such assessment. If an owner  
16 maintains a bond pursuant to this section, payment in full of any

17 amounts due the owner for work performed pursuant to the  
18 commissioner's order shall be made, with no retainage, within twelve  
19 months following the date on which time sheets are submitted by the  
20 owner for completed work.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2008</i>	New section

**Statement of Purpose:**

To require prompt payment of amounts due a public service facility owner for work performed subject to a bond.

*[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]*