



General Assembly

February Session, 2012

**Raised Bill No. 179**

LCO No. 1053

\*01053\_\_\_\_\_LAB\*

Referred to Committee on Labor and Public Employees

Introduced by:  
(LAB)

**AN ACT CONCERNING CONTRACTORS, SUBCONTRACTORS AND CIVIL ACTIONS TO RECOVER UNPAID EMPLOYEE WAGES AND BENEFITS.**

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

1 Section 1. Subsection (g) of section 31-53 of the general statutes is  
2 repealed and the following is substituted in lieu thereof (*Effective from*  
3 *passage*):

4 (g) Any contractor who is required by the Labor Department to  
5 make any payment as a result of a subcontractor's failure to pay wages  
6 or benefits, or any subcontractor who is required by the Labor  
7 Department to make any payment as a result of a lower tier  
8 subcontractor's failure to pay wages or benefits, may bring a civil  
9 action in the Superior Court [to recover] against such subcontractor or  
10 lower tier subcontractor, as the case may be, and any individual  
11 submitting a false certified payroll on behalf of such subcontractor or  
12 lower tier subcontractor. The subcontractor or lower tier subcontractor,  
13 as the case may be, and the individual submitting the false certified  
14 payroll shall be jointly and severally liable for no more than the  
15 damages sustained by reason of making such payment, together with

16 costs and a reasonable attorney's fee.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	31-53(g)

**Statement of Purpose:**

To clarify that subcontractor or lower tier subcontractor, along with the individual who submitted a false certified payroll on the subcontractor's or lower tier subcontractor's behalf, shall be jointly and severally liable for the resulting damages and fees.

*[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.]*