

WEST VIRGINIA LEGISLATURE

2017 REGULAR SESSION

Introduced

Senate Bill 412

BY SENATOR BLAIR

[Introduced February 23, 2017; Referred
to the Committee on Government Organization]

1 A BILL to amend and reenact §21-1C-5 of the Code of West Virginia, 1931, as amended, relating
 2 to the West Virginia Jobs Act; reporting requirements; and providing that certified payroll
 3 information is not required but that other information as to persons employed may be
 4 submitted.

Be it enacted by the Legislature of West Virginia:

1 That §21-1C-5 of the Code of West Virginia, 1931, as amended, be amended and
 2 reenacted to read as follows:

ARTICLE 1C. WEST VIRGINIA JOBS ACT.

§21-1C-5. Applicability and scope of article; reporting requirements.

1 (a) This article applies to expenditures for construction projects by any public authority for
 2 public improvements as defined by this article.

3 (b) For public improvement projects let pursuant to this article, the public authority shall
 4 file, or require an employer as defined in section two of this article to file, with the Division of
 5 Labor, ~~copies of the waiver certificates and certified payrolls, pursuant to article five-a of this~~
 6 ~~chapter or other comparable~~ documents that include the number of employees, the county and
 7 state wherein the employees reside and their occupation. These documents may include names
 8 and addresses of persons employed, but may not include wages paid.

9 (c) The Division of Labor shall compile the information required by this section and submit
 10 it annually to the Joint Committee on Government and Finance by October 15. The joint committee
 11 may forward these reports to the Legislative Auditor to review and make comments regarding the
 12 usefulness of the information collected and to suggest changes to the division's method of
 13 reporting to ensure the information collected will prove useful in evaluating the effectiveness of
 14 the provisions of this article.

15 (d) Each public authority ~~has the duty to~~ shall implement the reporting requirements of this
 16 article. Every public improvement contract or subcontract let by a public authority shall contain
 17 provisions conforming to the requirements of this article.

18 (e) The Division of Labor is ~~authorized to~~ may establish procedures for the efficient
19 collection of data, collection of civil penalties prescribed in section six of this article and transmittal
20 of data to the Joint Committee on Government and Finance.

NOTE: The purpose of this bill is to provide that reporting certified payroll information for persons employed under the West Virginia Jobs Act is not required, but that other information as to persons employed may be submitted.

Strike-throughs indicate language that would be stricken from a heading or the present law and underscoring indicates new language that would be added.