

WEST VIRGINIA LEGISLATURE

2019 REGULAR SESSION

Introduced

House Bill 2441

FISCAL
NOTE

BY DELEGATES FOSTER, HIGGINBOTHAM, STEELE,
KESSINGER, HOWELL, FAST, CADLE , COWLES AND
JENNINGS

[Introduced January 15, 2019; Referred
to the Committee on Industry and Labor then the
Judiciary.]

1 A BILL to amend and reenact §21-1C-5 of the Code of West Virginia, 1931, as amended, relating
 2 to removing certain requirements related to wages for construction of public
 3 improvements.

Be it enacted by the Legislature of West Virginia:

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 §21-1C-2 of this code to file, with the Division of Labor
 5 copies of the waiver certificates and ~~certified payrolls, pursuant to article five-a of this chapter, or~~
 6 ~~other comparable~~ documents that include the number of employees, the county and state wherein
 7 the employees reside and their occupation.

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

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

17 (e) The Division of Labor is authorized to establish procedures for the efficient collection
 18 of data, collection of civil penalties prescribed in §21-1C-6 of this code and transmittal of data to
 19 the Joint Committee on Government and Finance.

NOTE: The purpose of this bill is to remove certain requirements relating to wages for construction of public improvements.

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