

Department of Planning and Budget 2022 Fiscal Impact Statement

1. Bill Number: SB 538

House of Origin	<input checked="" type="checkbox"/> Introduced	<input type="checkbox"/> Substitute	<input type="checkbox"/> Engrossed
Second House	<input type="checkbox"/> In Committee	<input type="checkbox"/> Substitute	<input type="checkbox"/> Enrolled

2. Patron: Peake

3. Committee: Commerce and Labor

4. Title: Nonpayment of wages; defense of contractor.

5. Summary: Provides that a contractor, regardless of tier, has a valid defense to a claim for nonpayment of wages if he obtains a written certification from the subcontractor stating that (i) the subcontractor and each of his sub-subcontractors has paid all employees all wages due for the period during which the wages are claimed for the work performed on the project and (ii) to the subcontractor's knowledge, all sub-subcontractors below the subcontractor, regardless of tier, have similarly paid their employees all such wages.

6. Budget Amendment Necessary: No

7. Fiscal Impact Estimates: Preliminary, See Item 8

8. Fiscal Implications: It is anticipated that this bill will not have a fiscal impact on the Department of Occupational and Professional Regulation.

Impact estimates from the Department of Labor and Industry are not yet available.

9. Specific Agency or Political Subdivisions Affected: Department of Labor and Industry, Department of Professional and Occupational Regulation, Courts

10. Technical Amendment Necessary: No

11. Other Comments: HB 889 also addresses nonpayment of wages and defense of a contractor.