

HB 791 -- PUBLIC WORKS CONTRACTORS

SPONSOR: Griesheimer

COMMITTEE ACTION: Voted "Do Pass" by the Standing Committee on Workforce Development by a vote of 12 to 0. Voted "Do Pass" by the Standing Committee on Rules- Legislative Oversight by a vote of 8 to 0.

This bill expands the definitions of "contractor" and "public works" as used in the law requiring contractors on public works projects to provide a security bond to the public entity. The expanded definition of "contractor" includes any person who provides or arranges for construction services to a public entity under a contract with a private entity representing the public entity and "public works" includes projects even if the work is to be used for nongovernmental purposes.

The bill also specifies that public entities must require the security bond for public works in their names or when requiring private entities to enter into contracts for the works and that the bond must also cover labor for work performed by a supplier at any tier.

PROPOSERS: Supporters say that this bill will help broaden work for non-governmental purposes. A contractor lien is a claim for payment made by a contractor or a subcontractor who has performed work on a property. Currently, contractors cannot file a lien on public projects or public property. This bill will allow contractors and subcontractors to acquire bonds to do private work on public land. Supporters also say that there is no recourse for contractors who work on public property. This bill will provide a recourse for contractors who put resources and material into projects in the event that the work could not be completed. Supporters want bonds for contractors and subcontractors so that they will be paid for their services and material.

This bill is similar to SB 126 (2019).

Testifying for the bill were Representative Griesheimer; American Subcontractors Association - Midwest Council; Construction Employers Coalition; and the Site Improvement Association.

OPPOSERS: There was no opposition voiced to the committee.

OTHERS: Others testifying on the bill say that this should be similar to the Senate version of the bill.

Testifying on the bill was Associated General Contractors of

Missouri.