

SB0001/703428/1

BY: Economic Matters Committee

AMENDMENTS TO SENATE BILL 1
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 6, after “requirements;” insert “requiring the Commissioner to follow certain procedures under certain circumstances;”; strike beginning with “granting” in line 15 down through “appeal;” in line 16; and strike line 20 in its entirety and substitute “Section 17-221”.

On page 2, in line 3, after “(a),” insert “(b),”; and strike in their entirety lines 6 through 10, inclusive.

AMENDMENT NO. 2

On page 2, strike in their entirety lines 14 through 29, inclusive.

On page 3, strike in their entirety lines 1 and 2, inclusive; in line 3, in each instance, strike the bracket; and in the same line, strike “(B-1)”.

On page 5, strike beginning with “**THE**” in line 6 down through “**SECTION**” in line 7 and substitute “**INVESTIGATION**”; in line 11, after “**OCCURRED**” insert “**AND SHALL:**”

1. NOTIFY THE CONTRACTOR OR SUBCONTRACTOR OF THE VIOLATION, TO INCLUDE A STATEMENT OF FACTS DISCLOSED IN THE INVESTIGATION;

2. MEET WITH THE CONTRACTOR OR SUBCONTRACTOR WITHIN 48 HOURS OF ISSUING THE STOP WORK ORDER; AND

3. PROVIDE THE CONTRACTOR OR SUBCONTRACTOR A REASONABLE TIMEFRAME, AS DETERMINED BY THE COMMISSIONER, TO RESOLVE THE VIOLATION”;

in line 16, strike the comma and substitute a colon; and strike in their entirety lines 17 through 19, inclusive, and substitute:

“(I) THE PRIME CONTRACTOR ON THE CONTRACT MAY NOT TERMINATE THE CONTRACT WITH THE SUBCONTRACTOR UNTIL 48 HOURS AFTER THE MEETING BETWEEN THE COMMISSIONER AND THE SUBCONTRACTOR;

(II) THE PRIME CONTRACTOR MAY NOT TERMINATE THE CONTRACT WITH THE SUBCONTRACTOR IF THE VIOLATION HAS BEEN RESOLVED;
AND

(III) THE PRIME CONTRACTOR MAY NOT INCUR ANY CIVIL LIABILITY FOR DAMAGES TO THE SUBCONTRACTOR WHOSE CONTRACT WAS TERMINATED, OTHER SUBCONTRACTORS AFFECTED BY THE TERMINATION, OR ANY PUBLIC BODY RESULTING FROM THE TERMINATION.”.

On page 6, in lines 10, 13, 15, and 20, in each instance, strike “**APPEALS BOARD**” and substitute “**COMMISSIONER**”; strike in their entirety lines 23 through 30, inclusive, and substitute:

1. AN EXPLANATION OF WHY THE ORDER WAS UPHELD OR RELEASED; AND

2. THE GROUNDS ON WHICH THE RESULT WAS DETERMINED.”;

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and in line 31, strike “The” and substitute “**IF AFTER INVESTIGATION, THE COMMISSIONER DETERMINES THAT A PROVISION OF THIS SUBTITLE MAY HAVE BEEN VIOLATED AND HAS NOT ISSUED A STOP WORK ORDER IN ACCORDANCE WITH SUBSECTION (E) OF THIS SECTION, THE**”.