

HB0145/433227/1

BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL 145
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “Delegate Crosby” and substitute “Delegates Crosby, Brooks, Charkoudian, Fennell, Harrison, Jackson, Rogers, Turner, and Valderrama”; 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; strike line 20 in its entirety and substitute “Section 17-221”; and in line 25, after “(a),” insert “(b)”.

On page 2, strike in their entirety lines 1 through 5, inclusive.

AMENDMENT NO. 2

On page 2, strike in their entirety lines 9 through 24, inclusive; strike beginning with “**(B)**” in line 28 down through “**CONTRACT APPEALS.**” in line 29; in line 30, strike the brackets; and in the same line, strike “**(B-1)**”.

On page 6, in lines 8, 11, 13, and 18, in each instance, strike “**APPEALS BOARD**” and substitute “COMMISSIONER”.

AMENDMENT NO. 3

On page 5, in line 10, 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 A REASONABLE TIMEFRAME, AS DETERMINED BY THE COMMISSIONER, TO RESOLVE THE VIOLATION”.

On page 5, in line 15, strike the comma and substitute a colon; and strike in their entirety lines 16 through 18, 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 line 25, 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”.

On page 7, in line 26, strike “LESS” and substitute “MORE”.