

HOUSE BILL NO. 603

INTRODUCED BY G. HOLLENBAUGH

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A BILL FOR AN ACT ENTITLED: "AN ACT ALLOWING THE STATE AND POLITICAL SUBDIVISIONS TO INCLUDE LABOR REQUIREMENTS FOR PUBLIC WORKS CONTRACTS; AMENDING SECTION 18-2-425, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE AND AN APPLICABILITY DATE."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 18-2-425, MCA, is amended to read:

"18-2-425. Prohibition—project Project labor agreement. (1) Except as otherwise provided in this chapter, the state or any political subdivision that contracts for the construction, maintenance, repair, or improvement of public works may not require that a contractor, subcontractor, or material supplier or carrier engaged in the construction, maintenance, repair, or improvement of public works execute or otherwise become a party to any project labor agreement, collective bargaining agreement, prehire agreement, or other agreement with employees, their representatives, or any labor organization as a condition of bidding, negotiating, being awarded, or performing work on a public works contract.

(2) For the purposes of this section, "public works" means:

(a) a building, road, street, sewer, storm drain, water system, irrigation system, reclamation project, or other facility owned or to be contracted for by the state or a political subdivision and that is paid for in whole or in part with tax revenue paid by residents of the state; or

(b) any other construction service or nonconstruction service as defined in 18-2-401."

NEW SECTION. Section 2. Saving clause. [This act] does not affect rights and duties that matured, penalties that were incurred, or proceedings that were begun before [the effective date of this act].

NEW SECTION. Section 3. Effective date. [This act] is effective on passage and approval.

NEW SECTION. Section 4. Applicability. [This act] applies to bids on a public works contract, negotiations for a public works contract, the award of a public works contract, and work pursuant to a public works

1 contract on or after [the effective date of this act].

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