

SENATE BILL NO. 102

INTRODUCED BY G. VUCKOVICH

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A BILL FOR AN ACT ENTITLED: "AN ACT GENERALLY REVISING PUBLIC CONSTRUCTION CONTRACT LAW; PROVIDING FOR DIRECT PAYMENT OF SUBCONTRACTORS; AND REQUIRING CONTRACTORS TO KEEP SUBCONTRACTORS INFORMED OF CHANGES THAT MIGHT AFFECT THE PROJECT AND THE SUBCONTRACTORS."

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

NEW SECTION. **Section 1. Payment of subcontractors by public agency -- information dissemination to subcontractors by contractor.** (1) Whenever a public agency, as defined in 18-1-101, receives a progress payment request or final payment request from a contractor, the public agency shall pay directly to a subcontractor any amount that the request shows is due the subcontractor.

(2) For construction contracts that involve public agencies, the contractor shall inform a subcontractor of any date changes, change orders, or other changes that may affect the project and the subcontractor.

NEW SECTION. **Section 2. Payment of subcontractors by government entities -- information dissemination to subcontractors by contractor.** (1) Whenever a government entity receives a progress payment request or final payment request from a contractor, the government entity shall pay directly to a subcontractor any amount that the request shows is due the subcontractor.

(2) For construction contracts that involve government entities, the contractor shall inform a subcontractor of any date changes, change orders, or other changes that may affect the project and the subcontractor.

NEW SECTION. **Section 3. Codification instruction.** (1) [Section 1] is intended to be codified as an integral part of Title 18, chapter 2, and the provisions of Title 18, chapter 2, apply to [section 1].

(2) [Section 2] is intended to be codified as an integral part of Title 28, chapter 2, part 21, and the provisions of Title 28, chapter 2, part 21, apply to [section 2].

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