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# A BILL FOR AN ACT

RELATING TO PUBLIC WORK PROJECTS.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

1           SECTION 1. Chapter 104, Hawaii Revised Statutes, is  
2 amended by adding a new section to be appropriately designated  
3 and to read as follows:

4           "§104-       Indirect public works project; prevailing wages  
5 certification; compliance. (a) Prior to the start of  
6 construction, a construction project owner who undertakes a  
7 construction project for structures to be used by the State or a  
8 county shall sign a lease agreement that includes provisions  
9 that require:

- 10           (1) Compliance with this chapter; and  
11           (2) Certification that prevailing wages shall be paid as  
12                 established under this chapter.

13           Copies of the lease agreement shall be filed with the  
14 department of labor and industrial relations and the department  
15 of accounting and general services. The construction project  
16 owner shall submit certified payrolls to the department of  
17 accounting and general services.



1           **(b)** For the purposes of this section, "indirect public  
 2 works project" means any project, including development of any  
 3 housing pursuant to section 46-15 or chapter 201G, and  
 4 development, construction, renovation, and maintenance related  
 5 to refurbishment of any real or personal property that has  
 6 received a government benefit, including a construction contract  
 7 between private persons if more than twenty five per cent of the  
 8 assignable square feet of the property is leased for use by the  
 9 State, any political subdivision, or any agency of the State or  
 10 county for its use, whether or not the property is privately  
 11 owned and either:

- 12           **(1)** The lease agreement is entered into prior to the  
 13 construction contract becoming effective; or
- 14           **(2)** Construction work is performed according to a plan,  
 15 specifications, or criteria established by the State  
 16 or any political subdivision thereof, or any other  
 17 agency of the State or county."

18           SECTION 2. New statutory material is underscored.  
 19           SECTION 3. This Act shall take effect upon its approval.

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INTRODUCED BY:

Kirk Caldwell

Kulfs

But Johnson

Steel

Walt L.

Due

Grubbs



HB 2641

**Report Title:**

Prevailing Wages; Indirect Public Works Projects; Compliance

**Description:**

Requires a construction project owner who undertakes a construction project to be used by the State or a county to sign a lease agreement that certifies compliance with the State's public works prevailing wage law. Requires that copies of the lease agreement be filed with the departments of labor and industrial relations and accounting and general services.

