

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 215 Session of 2023

INTRODUCED BY COSTA, FONTANA, HUGHES, BREWSTER, COLLETT,
SCHWANK, KANE, DILLON, TARTAGLIONE, STREET, CAPPELLETTI,
SANTARSIERO, KEARNEY, COMMITTA AND SAVAL, JANUARY 31, 2023

REFERRED TO LABOR AND INDUSTRY, JANUARY 31, 2023

AN ACT

1 Amending the act of August 15, 1961 (P.L.987, No.442), entitled
2 "An act relating to public works contracts; providing for
3 prevailing wages; imposing duties upon the Secretary of Labor
4 and Industry; providing remedies, penalties and repealing
5 existing laws," further providing for remedies and penalties.

6 The General Assembly of the Commonwealth of Pennsylvania
7 hereby enacts as follows:

8 Section 1. Section 11(e) of the act of August 15, 1961
9 (P.L.987, No.442), known as the Pennsylvania Prevailing Wage
10 Act, is amended to read:

11 Section 11. Remedies and Penalties.--* * *

12 (e) (1) In the event that the secretary shall determine,
13 after notice and hearing as required by this section, that any
14 person or firm has failed to pay the prevailing wages and that
15 [such] the failure was intentional, [he] the secretary shall
16 [thereupon] notify all public bodies of the name [or names] of
17 [such persons or firms] the person or firm and no contract shall
18 be awarded to [such persons or firms] the person or firm or to
19 any firm, corporation or partnership in which [such persons or

1 firms have] the person or firm has an interest until [three
2 years have elapsed] the following duration of debarment has been
3 satisfied from the date of the notice to the public bodies
4 [aforesaid.]:

5 (i) Three years, when the amount that the person or firm
6 failed to pay is less than one million dollars (\$1,000,000).

7 (ii) Five years, when the amount that the person or firm
8 failed to pay is greater than one million dollars (\$1,000,000)
9 but less than ten million dollars (\$10,000,000).

10 (iii) Ten years, when the amount that the person or firm
11 failed to pay is greater than ten million dollars (\$10,000,000).

12 (2) The secretary [may] shall, in addition [thereto] to
13 paragraph (1), request the Attorney General to proceed to
14 recover the penalties for the Commonwealth of Pennsylvania which
15 are payable under subsection (f) of this section.

16 * * *

17 Section 2. This act shall take effect in 60 days.