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MEMORANDUM

TO: All House Members *B7C*
FROM: Representative Brian Ellis
DATE: June 14, 2011
SUBJECT: Co-sponsorship: Contractor and Subcontractor Payment Act

I will be introducing legislation in the near future to amend the Contractor and Subcontractor Payment Act (Act 7 of 1994) to make clear that the rights/responsibilities of the act cannot be waived. The act was established to set clear guidelines for how contractors and subcontractors are to be paid for improvements (construction work) to real property.

Recently, one of my constituents brought to my attention an instance of where he was asked to waive his rights under the Contractor and Subcontractor Payment Act in order to obtain a construction contract. Although, ultimately, our legal staff believes that any court would rule that an individual cannot be made to waive their rights under this law, it was recommended that the law be amended to clearly state this. In essence, this legislation could save unnecessary litigation.

If you wish to co-sponsor this legislation, please contact Bethann Gebhart in my office by email bgebhart@pahousegop.com or phone 7-7686.