

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1930

Session of
1991

INTRODUCED BY VEON, PISTELLA, COHEN, LAUGHLIN, KOSINSKI,
COLAIZZO, KUKOVICH, McGEEHAN, KRUSZEWSKI, MELIO, LEVDANSKY,
DALEY, COLAFELLA, KASUNIC, SALOOM, D. W. SNYDER, HALUSKA,
FAJT, HARPER, BELARDI, TRELLO, SCRIMENTI, FREEMAN,
RICHARDSON, McHALE, MIHALICH, HUGHES, LaGROTTA, MRKONIC,
DeLUCA, GIGLIOTTI and RITTER, JULY 22, 1991

AS AMENDED ON THIRD CONSIDERATION, HOUSE OF REPRESENTATIVES,
MARCH 17, 1992

AN ACT

1 Providing for a cause of action for damages resulting from
2 violations of unemployment compensation and workmen's
3 compensation laws by bidders on construction contracts.

4 The General Assembly of the Commonwealth of Pennsylvania
5 hereby enacts as follows:

6 Section 1. Action for damages resulting from violation of
7 unemployment and workmen's compensation laws.

8 (a) General rule.--A person, firm, association or
9 corporation which suffers damages as a result of a competitive
10 bid for a project involving the construction, repair,
11 remodeling, alteration, conversion, modernization, improvement,
12 rehabilitation, replacement or renovation of a building or other
13 structure not being accepted due to another person, firm,
14 association or corporation knowingly violating the provisions of
15 the act of June 2, 1915 (P.L.736, No.338), known as The
16 Pennsylvania Workmen's Compensation Act, or the act of December

1 5, 1936 (2nd Sp.Sess., 1937 P.L.2897, No.1), known as the
2 Unemployment Compensation Law, may bring an action AGAINST THE <—
3 SUCCESSFUL BIDDER for damages.

4 (b) Employee status.--For purposes of an action brought
5 under this section, employee status shall be determined by the
6 applicable provisions of the Internal Revenue Code (~~Public Law~~ <—
7 ~~99-514, 26 U.S.C.~~ OF 1986 (PUBLIC LAW 99-514, 26 U.S.C. § 1 et <—
8 seq.).

9 Section 2. Effective date.

10 This act shall take effect in 60 days.