

ASSEMBLY, No. 5004

STATE OF NEW JERSEY 219th LEGISLATURE

INTRODUCED NOVEMBER 19, 2020

Sponsored by:

Assemblywoman LINDA S. CARTER

District 22 (Middlesex, Somerset and Union)

Assemblyman ANTHONY S. VERRELLI

District 15 (Hunterdon and Mercer)

SYNOPSIS

Establishes registry of out-of-state contractors who are awarded public works contracts in this State.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 11/19/2020)

1 AN ACT establishing a public registry of certain out-of-state
2 contractors in this State and supplementing chapter 11 of Title 34
3 of the Revised Statutes.

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5 **BE IT ENACTED** by the Senate and General Assembly of the State
6 of New Jersey:

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8 1. a. As used in this section:

9 “Contractor” means a person, partnership, association, joint
10 stock company, trust, corporation, or other legal business entity or
11 successor thereof who enters into a contract which is subject to the
12 provisions of the “New Jersey Prevailing Wage Act,” P.L.1963,
13 c.150 (C.34:11-56.25 et seq.) and “The Public Works Contractor
14 Registration Act,” P.L.1999, c.238 (C.34:11-56.48), and includes
15 any subcontractor or lower tier subcontractor of a contractor as
16 defined herein.

17 “Out-of-state contractor” means a contractor, including a
18 subcontractor, whose principal place of business is not in this State.
19 A “principal place of business” shall not include a satellite office,
20 an office maintained, occupied, and used by an out-of-state
21 contractor only for the duration of a contract, or an office
22 maintained, occupied, and used by a person affiliated with an out-
23 of-state contractor.

24 b. The State Treasurer shall establish and maintain an up-to-date
25 and public registry of out-of-state contractors who are awarded
26 public works contracts to engage in the performance of
27 construction, installation, or any work covered under Title 34 of the
28 Revised Statutes or for which the payment of a prevailing wage is
29 required in this State. The registry shall include, but need not be
30 limited to, a description of the public works project of each out-of-
31 state contractor operating in this State along with the trade name,
32 owner name, and principal business address of that out-of-state
33 contractor. The State Treasurer shall prominently display the
34 registry on a website maintained by the Department of the Treasury
35 and shall distribute a printed or electronic copy of the registry to
36 any contractor, out-of-state contractor, or public body, upon
37 request.

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39 2. This act shall take effect immediately.
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42 STATEMENT

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44 This bill requires the State Treasurer to establish and maintain an
45 up-to-date and public registry of out-of-state contractors who are
46 awarded contracts to engage in the performance of public works
47 projects in this State. The registry would include, but need not be
48 limited to, a description of the public works project of each out-of-

1 state contractor operating in this State along with the trade name,
2 owner name, and principal business address of that out-of-state
3 contractor. The State Treasurer must prominently display the
4 registry on a website maintained by the Department of the Treasury
5 and distribute a printed or electronic copy of the registry to any
6 contractor, out-of-state contractor, or public body, upon request.

7 As used in the bill,

8 “contractor” means a person, partnership, association, joint stock
9 company, trust, corporation, or other legal business entity or
10 successor thereof who enters into a contract which is subject to the
11 provisions of the “New Jersey Prevailing Wage Act” and “The
12 Public Works Contractor Registration Act,” and includes any
13 subcontractor or lower tier subcontractor of a contractor as defined
14 herein; and

15 “out-of-state contractor” means a contractor, including a
16 subcontractor, whose principal place of business is not in this State.
17 A “principal place of business” does not include a satellite office,
18 an office maintained, occupied, and used by an out-of-state
19 contractor only for the duration of a contract, or an office
20 maintained, occupied, and used by a person affiliated with an out-
21 of-state contractor.