

SENATE, No. 3154

STATE OF NEW JERSEY
219th LEGISLATURE

INTRODUCED NOVEMBER 5, 2020

Sponsored by:
Senator NICHOLAS P. SCUTARI
District 22 (Middlesex, Somerset and Union)

SYNOPSIS

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

CURRENT VERSION OF TEXT

As introduced.



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 stock
10 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,”
13 P.L.1963, c.150 (C.34:11-56.25 et seq.) and “The Public Works
14 Contractor Registration Act,” P.L.1999, c.238 (C.34:11-56.48), and
15 includes any subcontractor or lower tier subcontractor of a contractor
16 as 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, an
20 office maintained, occupied, and used by an out-of-state contractor
21 only for the duration of a contract, or an office maintained, occupied,
22 and used by a person affiliated with an out-of-state contractor.

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

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37 2. This act shall take effect immediately.

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40 STATEMENT

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42 This bill requires the State Treasurer to establish and maintain an
43 up-to-date and public registry of out-of-state contractors who are
44 awarded contracts to engage in the performance of public works
45 projects in this State. The registry would include, but need not be
46 limited to, a description of the public works project of each out-of-
47 state contractor operating in this State along with the trade name,
48 owner name, and principal business address of that out-of-state

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1 contractor. The State Treasurer must prominently display the
2 registry on a website maintained by the Department of the Treasury
3 and distribute a printed or electronic copy of the registry to any
4 contractor, out-of-state contractor, or public body, upon request.

5 As used in the bill,

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

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