

Original sponsor: Grussendorf

1 IN THE HOUSE BY THE LABOR AND COMMERCE
COMMITTEE

2 CS FOR HOUSE BILL NO. 310 (L&C)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FIFTEENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to public construction and public
7 works contracts."

8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

9 * Section 1. AS 36.25.020(b) is amended to read:

10 (b) However, a person having direct contractual relationships
11 with a subcontractor but no contractual relationship express or im-
12 plied with the contractor furnishing the payment bond has a right of
13 action on the payment bond upon giving written notice to the contrac-
14 tor within 90 days from the last date on which the person performed
15 labor or furnished material for which the claim is made. The notice
16 must state with substantial accuracy the amount claimed and the name
17 of the person to whom the material was furnished or for whom the labor
18 was performed. The notice shall be served by mailing it by registered
19 mail, postage prepaid, in an envelope addressed to the contractor at a
20 [ANY] place where the contractor maintains an office or conducts
21 business, or the contractor's residence, or in a [ANY] manner in which
22 a peace officer is authorized to serve summons. In this subsection,
23 "subcontractor" includes a subcontractor of another subcontractor,
24 whether or not the other subcontractor has a direct contractual rela-
25 tionship with the contractor.

26 * Sec. 2. AS 36.90 is amended by adding a new section to read:

27 Sec. 36.90.020. NOTICE BY SUBCONTRACTOR. A person who contracts
28 other than as an employee to furnish services, materials, or equipment
29 for a public construction or public works project shall give the prime

1 contractor on the project written notice of the contract within 10
2 days of entering into the contract. In this section, "prime contrac-
3 tor" means the person who has contracted with the state to perform the
4 project.

5 * Sec. 3. This Act applies to contracts that are entered into on or
6 after the effective date of this Act.