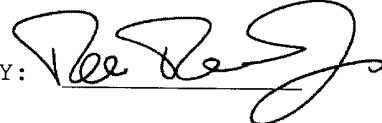




FLOOR AMENDMENT NO. \_\_\_\_\_

17 MAY 15 AM 9:53  
HOUSE OF REPRESENTATIVES

BY: 

1 Amend C.S.S.B. No. 312 (house committee report) by adding  
2 the following appropriately numbered SECTIONS to the bill and  
3 renumbering subsequent SECTIONS of the bill accordingly:

4 SECTION \_\_. Subchapter B, Chapter 223, Transportation Code,  
5 is amended by adding Section 223.051 to read as follows:

6 Sec. 223.051. PREVAILING WAGE RATES TO BE PAID BY  
7 CONTRACTOR AND SUBCONTRACTOR. (a) The contractor who is awarded  
8 a contract for a public work subject to Chapter 2258, Government  
9 Code, by the department or a subcontractor of the contractor may  
10 not improperly classify a worker employed by it in the execution  
11 of the contract as an independent contractor in order to avoid  
12 paying the worker under Section 2258.023(a), Government Code.

13 (b) The department shall audit each public work contract to  
14 which this section is applicable to ensure compliance with this  
15 section and Chapter 2258, Government Code:

- 16 (1) throughout the term of the contract; and
- 17 (2) not later than the 30th day before the date the  
18 work is scheduled to be completed on the contract.

19 SECTION \_\_. Section 223.051, Transportation Code, as added  
20 by this Act applies only to a public work contract entered into  
21 on or after the effective date of this Act. A public work  
22 contract entered into before the effective date of this Act is  
23 governed by the law in effect on the date the contract was  
24 entered into, and the former law is continued in effect for that  
25 purpose.