

**First Regular Session  
Seventy-second General Assembly  
STATE OF COLORADO**

**INTRODUCED**

LLS NO. 19-0207.02 Nicole Myers x4326

**HOUSE BILL 19-1227**

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**HOUSE SPONSORSHIP**

**Benavidez,**

**SENATE SPONSORSHIP**

**(None),**

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**House Committees**  
Business Affairs & Labor

**Senate Committees**

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**A BILL FOR AN ACT**

101      **CONCERNING A REQUIREMENT THAT THE DEPARTMENT OF PERSONNEL**  
102                    **CREATE A PREVAILING WAGE WORKING GROUP TO DETERMINE**  
103                    **THE APPROPRIATE MANNER IN WHICH TO IMPLEMENT A**  
104                    **PREVAILING WAGE REQUIREMENT FOR STATE CONTRACTS.**

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**Bill Summary**

*(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov>.)*

The bill requires the executive director of the department of personnel or his or her designee, in coordination with the executive director of the department of labor and employment or his or her

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.  
Capital letters or bold & italic numbers indicate new material to be added to existing statute.  
Dashes through the words indicate deletions from existing statute.

designee, to convene a prevailing wage working group to meet during the interim following the first regular session of the seventy-second general assembly to determine the most efficient and appropriate manner in which to implement a prevailing wage requirement for state contracts. The bill specifies the aspects of a potential prevailing wage requirement that the working group is required to consider.

The prevailing wage working group is required to solicit input from subject matter experts during the course of its work and is required to submit to the general assembly its recommendations for the most efficient and appropriate manner in which to implement a prevailing wage requirement for state contracts.

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1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1.** In Colorado Revised Statutes, **add** part 6 to article  
3 101 of title 24 as follows:

4 **PART 6**

5 **PREVAILING WAGE WORKING GROUP**

6 **24-101-601. Prevailing wage working group - creation -**  
7 **recommendations - repeal.** (1) THE EXECUTIVE DIRECTOR OR HIS OR HER  
8 DESIGNEE, IN COORDINATION WITH THE EXECUTIVE DIRECTOR OF THE  
9 DEPARTMENT OF LABOR AND EMPLOYMENT OR HIS OR HER DESIGNEE,  
10 SHALL CONVENE A PREVAILING WAGE WORKING GROUP TO MEET DURING  
11 THE INTERIM FOLLOWING THE FIRST REGULAR SESSION OF THE  
12 SEVENTY-SECOND GENERAL ASSEMBLY TO DETERMINE THE MOST  
13 EFFICIENT AND APPROPRIATE MANNER IN WHICH TO IMPLEMENT A  
14 PREVAILING WAGE REQUIREMENT FOR STATE CONTRACTS. THE WORKING  
15 GROUP SHALL CONSIDER:

16 (a) THE MANNER IN WHICH A SYSTEM COULD BE IMPLEMENTED TO  
17 ALLOW CONTRACTORS AND SUBCONTRACTORS TO PROVIDE PAYROLL  
18 RECORDS OR OTHER EVIDENCE THAT IT HAS PAID REQUIRED PREVAILING  
19 WAGES TO ITS EMPLOYEES;

1 (b) THE MANNER IN WHICH A CONTRACTOR'S OR  
2 SUBCONTRACTOR'S PAYROLL RECORDS OR OTHER EVIDENCE COULD BE  
3 REVIEWED TO DETERMINE THAT THE CONTRACTOR OR SUBCONTRACTOR IS  
4 IN COMPLIANCE WITH THE PREVAILING WAGE REQUIREMENT;

5 (c) THE MANNER IN WHICH THE STATE WOULD CONFIRM OR VERIFY  
6 THAT THE WAGES PAID ARE IN ACCORDANCE WITH THE REQUIREMENTS OF  
7 THE FEDERAL "DAVIS-BACON ACT", 40 U.S.C. 3141 ET SEQ.;

8 (d) APPROPRIATE ENFORCEMENT AND PENALTY STRUCTURES FOR  
9 CONTRACTORS AND SUBCONTRACTORS WHO DO NOT COMPLY WITH THE  
10 PREVAILING WAGE REQUIREMENT;

11 (e) THE MOST APPROPRIATE STATE AGENCIES OR DEPARTMENTS TO  
12 BE RESPONSIBLE FOR ADMINISTERING AND OVERSEEING THE PREVAILING  
13 WAGE REQUIREMENT; AND

14 (f) ANY OTHER CONSIDERATIONS DEEMED NECESSARY BY THE  
15 WORKING GROUP IN CONNECTION WITH A POTENTIAL PREVAILING WAGE  
16 REQUIREMENT FOR STATE CONTRACTS.

17 (2) THE PREVAILING WAGE WORKING GROUP SHALL SOLICIT INPUT  
18 FROM SUBJECT MATTER EXPERTS, INCLUDING, BUT NOT NECESSARILY  
19 LIMITED TO, VENDORS, LABOR ORGANIZATIONS, LEGAL PROFESSIONALS,  
20 STATE EMPLOYEES WITH EXPERTISE IN STATE PROCUREMENT, AND STATE  
21 EMPLOYEES WITH EXPERTISE IN PREVAILING WAGES SET BY THE UNITED  
22 STATES DEPARTMENT OF LABOR AS DIRECTED BY THE FEDERAL  
23 "DAVIS-BACON ACT", 40 U.S.C. 3141 ET SEQ.

24 (3) THE PREVAILING WAGE WORKING GROUP SHALL DO ITS WORK  
25 WITHIN EXISTING RESOURCES OF THE DEPARTMENT.

26 (4) THE PREVAILING WAGE WORKING GROUP SHALL SUBMIT TO THE  
27 GENERAL ASSEMBLY ITS RECOMMENDATIONS FOR THE MOST EFFICIENT

1 AND APPROPRIATE MANNER IN WHICH TO IMPLEMENT A PREVAILING WAGE  
2 REQUIREMENT FOR STATE CONTRACTS ON OR BEFORE DECEMBER 31, 2019.

3 (5) THIS PART 6 IS REPEALED, EFFECTIVE JULY 1, 2020.

4 **SECTION 2. Safety clause.** The general assembly hereby finds,  
5 determines, and declares that this act is necessary for the immediate  
6 preservation of the public peace, health, and safety.