

- 1 Amend printed bill, page 4, strike lines 7 through 26 and substitute "**in**
2 **the construction industry.** (1) (a) A GENERAL CONTRACTOR ENTERING
3 INTO A CONSTRUCTION CONTRACT IN THIS STATE IS LIABLE FOR ALL
4 AMOUNTS OWED TO AN EMPLOYEE PURSUANT TO THIS ARTICLE 4 OR
5 ARTICLE 6 OF THIS TITLE 8 FOR THE EMPLOYEE'S LABOR, CONSTRUCTION,
6 OR OTHER WORK INCLUDED WITHIN THE SCOPE OF THE CONSTRUCTION
7 CONTRACT, INCLUDING AMOUNTS OWED BY A SUBCONTRACTOR AT ANY
8 TIER ACTING UNDER, BY, OR FOR THE GENERAL CONTRACTOR OR THE
9 GENERAL CONTRACTOR'S SUBCONTRACTORS.
- 10 (b) THE GENERAL CONTRACTOR'S RESPONSIBILITY UNDER
11 SUBSECTION (1)(a) OF THIS SECTION DOES NOT EXTEND TO DAMAGES
12 OWED FOR RETALIATION COMMITTED BY A SUBCONTRACTOR PURSUANT TO
13 SECTION 8-4-120 (3).
- 14 (2) UNLESS THE VIOLATION IS CAUSED BY THE GENERAL
15 CONTRACTOR'S LACK OF PAYMENT TO THE SUBCONTRACTOR IN
16 ACCORDANCE WITH THE TERMS OF THE CONTRACT BETWEEN THE GENERAL
17 CONTRACTOR AND THE SUBCONTRACTOR:
- 18 (a) A SUBCONTRACTOR EMPLOYER SHALL INDEMNIFY THE
19 GENERAL CONTRACTOR FOR:
- 20 (I) ALL AMOUNTS OWED BY THE GENERAL CONTRACTOR PURSUANT
21 TO SUBSECTION (1) OF THIS SECTION DUE TO THE SUBCONTRACTOR'S
22 VIOLATION OF THIS ARTICLE 4 OR ARTICLE 6 OF THIS TITLE 8; AND
- 23 (II) ALL ATTORNEY FEES PAID BY THE GENERAL CONTRACTOR TO
24 DEFEND AGAINST LIABILITY FOR SUBCONTRACTOR VIOLATIONS OF THIS
25 ARTICLE 4 OR ARTICLE 6 OF THIS TITLE 8;
- 26 (b) A GENERAL CONTRACTOR MAY BRING A CROSSCLAIM FOR
27 INDEMNIFICATION AGAINST THE SUBCONTRACTOR EMPLOYER IN ANY
28 ACTION RELATED TO THE WAGE CLAIM.
- 29 (3) A SUBCONTRACTOR'S FAILURE TO INDEMNIFY THE GENERAL
30 CONTRACTOR IS NOT A DEFENSE TO ANY ACTION BROUGHT AGAINST THE
31 GENERAL CONTRACTOR PURSUANT TO SUBSECTION (1) OF THIS SECTION."
- 32 Renumber succeeding subsections accordingly.

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