**GENERAL ASSEMBLY OF NORTH CAROLINA**

**SESSION 2007**

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**HOUSE BILL 2175***

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| Short Title: | DOT/Expedite Subcontractor Payment. | (Public) |
| Sponsors: | Representatives Wainwright; Carney, Faison, Farmer-Butterfield, Hall, Harrison, Hughes, and Pierce. | |
| Referred to: | Transportation. | |

May 19, 2008

A BILL TO BE ENTITLED

AN ACT TO EXPEDITE PAYMENT OF SUBCONTRACTORS ON DEPARTMENT OF TRANSPORTATION PROJECTS, AS RECOMMENDED BY THE JOINT LEGISLATIVE COMMISSION ON THE DEPARTMENT OF TRANSPORTATION DISADVANTAGED MINORITY-OWNED AND WOMEN-OWNED BUSINESSES PROGRAM.

The General Assembly of North Carolina enacts:

**SECTION 1.** G.S. 136-28.1 is amended by adding a new subsection to read:

"(n) When the Department makes a payment to a contractor pursuant to a contract for construction, maintenance, or repair, the Department shall notify any subcontractor who has performed work for the contractor during the time period for which payment is being made."

**SECTION 2.** G.S. 126-28.1 is amended by adding a new subsection to read:

"(o) The Department is authorized to make payment directly to a subcontractor for work that has been performed satisfactorily pursuant to a contract for construction, maintenance, or repair, if payment has not been made to the contractor for reasons unrelated to work performed by the subcontractor. All contracts entered into by the Department for construction, maintenance, or repair, shall include notice of the provisions of this subsection."

**SECTION 3.** This act becomes effective October 1, 2008, and applies to contracts entered into on or after that date.