**5528-S AMS STAN S2216.1 - NOT FOR FLOOR USE**

**SSB 5528** - S AMD **205**

By Senator Stanford

**ADOPTED 03/08/2023**

On page 2, line 3, after "contract" insert "or subcontract"

On page 2, line 7, after "period." insert "A contractor may provide notice under this subsection to an owner or upper-tier contractor for release of retainage due to a subcontractor whose work is complete. If an owner or upper-tier contractor does not accept the subcontractor's work or does not notify the contractor of work yet to be performed by the subcontractor within 15 days after receiving the notice, the interest required under this section shall commence 30 days after the end of the 15-day period. A contractor's obligation to pay interest to a subcontractor under this section does not begin until the contractor has received payment for the subcontractor's retainage provided that the contractor has submitted the subcontractor's retainage request to the owner or upper-tier contractor within 30 days after receipt from the subcontractor."

On page 2, beginning on line 10, strike all of section 2

Renumber the remaining sections consecutively and correct any internal references accordingly.

On page 3, line 17, after "sections 1" strike "through 3" and insert "and 2"

EFFECT: Adds a provision that: (1) A contractor may provide notice to an owner or upper-tier contractor for release of retainage due to a subcontractor whose work is complete; (2) if an owner or upper-tier contractor does not accept the subcontractor's work or does not inform the contractor of work yet to be performed by the subcontractor within 15 days, interest commences 30 days after the 15-day period; and (3) a contractor's obligation to pay interest to a subcontractor does not begin until the contractor has received payment for the subcontractor's retainage. Adds a reference to subcontracts to make provisions of the bill consistent. Removes the section requiring, when a contractor pays a subcontractor the amount withheld as retainage, the owner to pay the contractor the same amount.