

Amendment No. 1 to SB2189

Bailey
Signature of Sponsor

AMEND Senate Bill No. 2189

House Bill No. 2256*

by deleting the amendatory language of Section 4 and substituting the following:

(d)

(1) As used in this subsection (d), "successor in interest" means a successor in ownership of any part of a business or enterprise that is carried on and controlled in substantially the same manner as the penalized construction services provider.

(2) A penalty issued under this section must follow any owner of a business, or member of an LLC, that is closed, liquidated, or dissolved, when that owner or member owns or operates any part of a subsequent business that is carried on and controlled in substantially the same manner as the penalized construction services provider.

(3) A successor in interest to a construction service provider is liable for any penalty assessed under this section against that construction services provider.

(4) A penalized owner, or member of an LLC, of a construction services provider, or a successor in interest to the construction services provider, may appeal a penalty assessment by requesting a contested case hearing pursuant to § 50-6-412(e).

(5) The administrator or the administrator's designee may waive a penalty against a penalized owner, or member of an LLC, of a construction services provider, or successor in interest to a construction services provider, for good cause.