SSB 5528 - S AMD **205**
    By Senator Stanford

ADOPTED 03/08/2023

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

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

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

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

18   On page 3, line 17, after "sections 1" strike "through 3" and
19 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.

--- **END** ---