

SECOND REGULAR SESSION

**HOUSE BILL NO. 1496**

**92ND GENERAL ASSEMBLY**

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INTRODUCED BY REPRESENTATIVES BEAN (Sponsor), WALLACE, KINGERY, KING, MAY, MAYER, COOPER (155), CUNNINGHAM (86), STEVENSON, BOUGH, SCHLOTTACH, DETHROW, GUEST, BYRD, SCHAAF, ICET, RUESTMAN, REINHART, ROARK, VIEBROCK, NIEVES, EMERY, PHILLIPS, SANDER, WOOD, HOBBS, KELLY (144), ANGST, WASSON AND BEARDEN (Co-sponsors).

Read 1<sup>st</sup> time February 17, 2004, and copies ordered printed.

STEPHEN S. DAVIS, Chief Clerk

4465L.011

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**AN ACT**

To repeal sections 290.220 and 290.230, RSMo, and to enact in lieu thereof two new sections relating to the prevailing wage.

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*Be it enacted by the General Assembly of the state of Missouri, as follows:*

Section A. Sections 290.220 and 290.230, RSMo, are repealed and two new sections  
2 enacted in lieu thereof, to be known as sections 290.220 and 290.230, to read as follows:

290.220. It is hereby declared to be the policy of the state of Missouri that a wage of no  
2 less than the prevailing hourly rate of wages for work of a similar character in the locality in  
3 which the work is performed shall be paid to all workmen employed by or on behalf of any  
4 public body engaged in public works exclusive of maintenance work; **except that for work**  
5 **done on behalf of a school, a school district may exempt itself from the provisions of this**  
6 **section upon majority vote of the school board of such district.**

290.230. 1. Not less than the prevailing hourly rate of wages for work of a similar  
2 character in the locality in which the work is performed, and not less than the prevailing hourly  
3 rate of wages for legal holiday and overtime work, shall be paid to all workmen employed by or  
4 on behalf of any public body engaged in the construction of public works, exclusive of  
5 maintenance work; **except that for work done on behalf of a school, a school district may**  
6 **exempt itself from the provisions of this section upon majority vote of the school board of**  
7 **such district.** Only such workmen as are directly employed by contractors or subcontractors in  
8 actual construction work on the site of the building or construction job shall be deemed to be  
9 employed upon public works.

10 2. When the hauling of materials or equipment includes some phase of construction other

11 than the mere transportation to the site of the construction, workmen engaged in this dual  
12 capacity shall be deemed employed directly on public works.