

1 **SENATE FLOOR VERSION**

2 February 20, 2025

3 SENATE BILL NO. 1106

By: Reinhardt and Guthrie

4
5
6 An Act relating to the Fair Pay for Construction Act;
7 amending 61 O.S. 2021, Section 227, which relates to
8 application of act; providing certain exceptions;
9 updating statutory reference; and providing an
10 effective date.

11 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

12 SECTION 1. AMENDATORY 61 O.S. 2021, Section 227, is
13 amended to read as follows:

14 Section 227. A. 1. This act shall not apply to:

- 15 a. highway construction,
16 b. railroad construction, ~~or~~
17 c. turnpike construction, or
18 d. municipal road construction.

19 2. Except as the following may be a portion of a construction
20 contract as defined in Section ~~2~~ 222 of this ~~act~~ title, this act
21 shall not apply to:

- 22 a. roads,
23 b. bridges,
24 c. utilities,

- d. traffic control,
- e. drainage construction,
- f. sanitary sewer construction, or
- g. waterline construction.

3. This act shall not apply to any contract relating to a single-, two-, three-, or four-family dwelling.

B. The following are against the public policy of this state and are void and unenforceable:

1. A provision, covenant, clause or understanding in, collateral to or affecting a construction contract that makes the contract subject to the laws of another state or that requires any litigation, arbitration or other dispute resolution proceeding arising from the contract to be conducted in another state; and

2. A provision, covenant, clause or understanding in, collateral to or affecting a construction contract that disallows or alters the rights of any prime contractor, subcontractor, sub-subcontractor, or material supplier to receive and enforce any and all rights under this act.

SECTION 2. This act shall become effective November 1, 2025.

COMMITTEE REPORT BY: COMMITTEE ON BUSINESS AND INSURANCE
February 20, 2025 - DO PASS