

**ASSEMBLY BILL**

**No. 2360**

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**Introduced by Assembly Member Solorio**

February 24, 2012

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An act to amend Section 1720.2 of the Labor Code, relating to public contracts.

LEGISLATIVE COUNSEL'S DIGEST

AB 2360, as introduced, Solorio. Public contracts: public works: leasebacks.

Existing law defines the term “public works” for purposes of requirements regarding the payment of prevailing wages, the regulation of working hours, and the securing of workers’ compensation for public works projects. Existing law requires prevailing wages to be paid for construction work done under private contract when specified conditions exist.

This bill would make a technical, nonsubstantive change to those provisions.

Vote: majority. Appropriation: no. Fiscal committee: no.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

- 1 SECTION 1. Section 1720.2 of the Labor Code is amended to
- 2 read:
- 3 1720.2. For the limited purposes of Article 2 (commencing
- 4 with Section 1770) of this chapter, “public works” also means any
- 5 construction work done under private contract when all of the
- 6 following conditions exist:

- 1 (a) The construction contract is between private persons.
- 2 (b) The property subject to the construction contract is privately
- 3 owned, but upon completion of the construction work, more than
- 4 50 percent of the assignable square feet of the property is leased
- 5 to the state or a political subdivision for its use.
- 6 (c) Either of the following conditions exist:
- 7 (1) The lease agreement between the lessor and the state or
- 8 political subdivision, as lessee, was entered into ~~prior to~~ *before*
- 9 the construction contract.
- 10 (2) The construction work is performed according to plans,
- 11 specifications, or criteria furnished by the state or political
- 12 subdivision, and the lease agreement between the lessor and the
- 13 state or political subdivision, as lessee, is entered into during, or
- 14 upon completion of, the construction work.