

1 that the department is undertaking pursuant to the authority established
2 in subsection (e) of this section.

3 (c) If a contractor violates a provision of the public contract for serv-
4 ices required pursuant to subsection (b) of this section, the state agency
5 or political subdivision may terminate the contract for a breach of the
6 contract. If the contract is so terminated, the contractor shall be liable
7 for actual and consequential damages to the state agency or political
8 subdivision.

9 (d) A state agency or political subdivision shall notify the office of the
10 secretary of state if a contractor violates a provision of a public contract
11 for services required pursuant to subsection (b) of this section and the
12 state agency or political subdivision terminates the contract for such
13 breach. Based on this notification, the secretary of state shall maintain a
14 list that includes the name of the contractor, the state agency or political
15 subdivision that terminated the public contract for services and the date
16 of the termination. A contractor shall be removed from the list if two
17 years have passed since the date the contract was terminated, or if a court
18 of competent jurisdiction determines that there has not been a violation
19 of the provision of the public contract for services required pursuant to
20 subsection (b) of this section. A state agency or political subdivision shall
21 notify the office of the secretary of state if a court has made such a de-
22 termination. The list shall be available for public inspection at the office
23 of the secretary of state and shall be published on the internet on the
24 website maintained by the office of the secretary of state.

25 (e) (1) The department may investigate whether a contractor is com-
26 plying with the provisions of a public contract for services required pur-
27 suant to subsection (b) of this section. The department may conduct on-
28 site inspections where a public contract for services is being performed,
29 request and review documentation that proves the citizenship of any per-
30 son performing work on a public contract for services, or take any other
31 reasonable steps that are necessary to determine whether a contractor is
32 complying with the provisions of a public contract for services required
33 pursuant to subsection (b) of this section. The department shall receive
34 complaints of suspected violations of a provision of a public contract for
35 services required pursuant to subsection (b) of this section and shall have
36 discretion to determine which complaints, if any, are to be investigated.
37 The results of any investigation shall not constitute final agency action.
38 The secretary of labor is authorized to adopt rules and regulations to
39 implement the provisions of this subsection (e).

40 (2) The secretary of labor shall notify a state agency or political sub-
41 division if the secretary suspects that there has been a breach of a pro-
42 vision in a public contract for services required pursuant to subsection
43 (b) of this section.

Sec. 3. No labor union shall collect any dues in this state
from an illegal alien.