

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2017

FILED SENATE
Mar 23, 2017
S.B. 376
PRINCIPAL CLERK

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SENATE BILL DRS45257-MM-25 (02/09)

Short Title: Limit Revolving Door Employment.

(Public)

Sponsors: Senator Hise (Primary Sponsor).

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO PROHIBIT THE STATE FROM CONTRACTING WITH CONTRACTORS
3 WHO USE FORMER STATE EMPLOYEES IN THE ADMINISTRATION OF STATE
4 CONTRACTS WITHIN SIX MONTHS AFTER THE STATE EMPLOYEE
5 TERMINATED EMPLOYMENT WITH THE STATE.

6 The General Assembly of North Carolina enacts:

7 **SECTION 1.** Article 3 of Chapter 143 of the General Statutes is amended by
8 adding a new section to read:

9 "**§ 143-59.5. Contracts with vendors that hire former State employees.**

10 (a) Ineligible Vendors. – The Secretary of Administration and other entities to which
11 this Article applies shall not contract for goods or services with a vendor that employs or
12 contracts with a person who is a former State employee and uses that person in the
13 administration of a contract with the State.

14 (b) Vendor Certification. – The Secretary of Administration shall require each vendor
15 submitting a bid or contract to certify that the vendor will not use a former State employee in
16 the administration of a contract with the State in violation of the provisions of subsection (a) of
17 this section. Any person who submits a certification required by this subsection knowing the
18 certification to be false shall be guilty of a Class I felony.

19 (c) A violation of the provisions of this section shall void the contract.

20 (d) Definitions. – As used in this section, the following terms mean:

21 (1) Administration of a contract. – Oversight of the performance of a contract,
22 authority to make decisions regarding a contract, interpretation of a contract,
23 or participation in the development of specifications or terms of a contract or
24 in the preparation or award of a contract.

25 (2) Former State employee. – A person who, for any period within the preceding
26 six months, was employed as an employee or contract employee of the State
27 by the State agency for which the contract applies, who in the six months
28 immediately preceding termination of State employment, participated
29 personally in either the award or management of a State contract with the
30 vendor, or made regulatory or licensing decisions that directly applied to the
31 vendor."

32 **SECTION 2.** This act becomes effective October 1, 2017, and applies to contracts
33 entered into on or after that date.

