

17:31-9

LEGISLATIVE HISTORY CHECKLIST

NJSA: 17:31-9

(Sureties—prohibit  
discrimination against  
businesses owned by  
women or minorities)

LAWS OF: 1985

CHAPTER: 80

Bill No: A1825

Sponsor(s): Bryant

Date Introduced: March 20, 1984

Committee: Assembly: Independent Authorities and Commissions  
Senate: Labor, Industry and Professions

Amended during passage: Yes Amendments denoted by asterisks  
according to Governor's recommendations

Date of Passage: Assembly: June 25, 1984 Re-enacted 2-25-85  
Senate: December 17, 1984 Re-enacted 3-7-85

Date of Approval: March 14, 1985

Following statements are attached if available:

Sponsor statement: Yes

Committee statement: Assembly Yes  
Senate Yes

Fiscal Note: Yes

Veto Message: Yes

Message on Signing: Yes

Following were printed:

Reports: No

Hearings: No

CHAPTER 80 LAWS OF N. J. 1985

APPROVED 3-14-85

[SECOND OFFICIAL COPY REPRINT]

ASSEMBLY, No. 1825

STATE OF NEW JERSEY

INTRODUCED MARCH 20, 1984

By Assemblymen BRYANT, CHARLES, WATSON and RILEY

AN ACT concerning sureties, and supplementing chapter 31 of Title 17 of the Revised Statutes.

1 BE IT ENACTED *by the Senate and General Assembly of the State*  
2 *of New Jersey:*

1 1. No surety authorized to do business in this State shall dis-  
2 criminate against \***[eligible]**\* *\*minority or women's\** busi-  
3 nesses\*\***[**, as defined in P. L. , c. (C. ) (now pend-  
4 ing before the Legislature as *\*Assembly Committee Substitute for\**  
5 *Assembly Bill No. 1828 of 1984)*,**]**\*\* with respect to the providing  
6 of coverage, and shall provide coverage for these businesses on the  
7 same basis and to the same extent as for any other like businesses.

1 2. This act shall take effect immediately.

**EXPLANATION**—Matter enclosed in bold-faced brackets **[thus]** in the above bill is not enacted and is intended to be omitted in the law.

Matter printed in italics *thus* is new matter.

Matter enclosed in asterisks or stars has been adopted as follows:

\*—Assembly committee amendments adopted May 17, 1984.

\*\*—Assembly amendment adopted in accordance with Governor's recommendations February 4, 1985.

[OFFICIAL COPY REPRINT]  
ASSEMBLY, No. 1825

STATE OF NEW JERSEY

INTRODUCED MARCH 20, 1984

By Assemblymen BRYANT, CHARLES, WATSON and RILEY

AN ACT concerning sureties, and supplementing chapter 31 of Title 17 of the Revised Statutes.

1 BE IT ENACTED *by the Senate and General Assembly of the State*  
2 *of New Jersey:*

1 1. No surety authorized to do business in this State shall dis-  
2 criminate against \***[eligible]**\* *\*minority or women's\** businesses,  
3 as defined in P. L. , c. (C. ) (now pending  
3A before the Legislature as *\*Assembly Committee Substitute for\**  
4 Assembly Bill No. 1828 of 1984), with respect to the providing of  
5 coverage, and shall provide coverage for these businesses on the  
6 same basis and to the same extent as for any other like businesses.

1 2. This act shall take effect immediately.

**EXPLANATION**—Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted in the law.

Matter printed in italics *thus* is new matter.

Matter enclosed in asterisks or stars has been adopted as follows:

\*—Assembly committee amendments adopted May 17, 1984.

ASSEMBLY, No. 1825

STATE OF NEW JERSEY

INTRODUCED MARCH 20, 1984

By Assemblymen BRYANT, CHARLES, WATSON and RILEY

AN ACT concerning sureties, and supplementing chapter 31 of Title 17 of the Revised Statutes.

1 BE IT ENACTED *by the Senate and General Assembly of the State*  
2 *of New Jersey:*

- 1 1. No surety authorized to do business in this State shall dis-  
2 criminate against eligible businesses, as defined in P. L.        ,  
3 c.        (C.        ) (now pending before the Legislature as  
4 Assembly Bill No. 1828 of 1984), with respect to the providing of  
5 coverage, and shall provide coverage for these businesses on the  
6 same basis and to the same extent as for any other like businesses.
- 1 2. This act shall take effect immediately.

---

STATEMENT

This bill prohibits sureties from discriminating with respect to the provision of coverage to businesses operated by women and minorities. Frequently, minority businesses have difficulty bidding for public contracts because surety bonds are not available to them. This bill would require that coverage be provided for these businesses on the same basis and to the same extent as for any other businesses.

ASSEMBLY INDEPENDENT AUTHORITIES AND  
COMMISSIONS COMMITTEE

STATEMENT TO

**ASSEMBLY, No. 1825**

with Assembly committee amendments

---

**STATE OF NEW JERSEY**

---

DATED: MAY 17, 1984

This bill prohibits sureties from discriminating with respect to the provision of coverage to minority businesses and women's businesses. (Minority businesses are businesses in which at least 51% of the beneficial ownership is held by minorities and in which the majority of the management are minorities. Women's businesses are businesses in which at least 51% of the beneficial ownership is held by women and in which the majority of the management are women.)

Frequently, minority and women's businesses have difficulty bidding for public contracts because surety bonds are not available to them. This bill requires that coverage be provided for those businesses on the same basis and to the same extent as for other businesses.

COMMITTEE ACTION

As introduced, the bill referred to discrimination against "eligible businesses." The committee amended the bill to read "minority and women's businesses"; this change was necessary because the term "eligible business" now has a broader meaning in the Assembly Committee Substitute for Assembly 1828, to which this bill is related.

SENATE LABOR, INDUSTRY AND PROFESSIONS  
COMMITTEE

STATEMENT TO

**ASSEMBLY, No. 1825**

[OFFICIAL COPY REPRINT]

**STATE OF NEW JERSEY**

DATED: SEPTEMBER 13, 1984

This bill prohibits sureties from discriminating with respect to the provision of coverage to minority businesses and women's businesses. The bill requires that coverage be provided for these businesses on the same basis and to the same extent as for other businesses.

Minority businesses are businesses in which at least 51% of the beneficial ownership is held by minorities and in which the majority of the management are minorities. Women's businesses are businesses in which at least 51% of the beneficial ownership is held by women and in which the majority of the management are women.

STATE OF NEW JERSEY  
EXECUTIVE DEPARTMENT

February 4, 1985

ASSEMBLY BILL NO. 1825 (OCR)

To the General Assembly:

Pursuant to Article V, Section 1, Paragraph 14 of the Constitution, I herewith return Assembly Bill No. 1825 (OCR) with my recommendations for reconsideration.

Assembly Bill No. 1825 (OCR) would prohibit a surety from discriminating against a minority or women's business in the provision of surety coverage. The terms "minority business" and "women's business" are defined as they are in the Assembly Committee Substitute for Assembly Bill No. 1828 of 1984. This bill will help facilitate the entrance of minority and women's businesses into the commercial marketplace.

Discrimination in any form can have no place in our society. I support the concept expressed within Assembly Bill No. 1825 (OCR). Despite my support for the concept, I must return the bill to you and recommend that it be amended to delete all reference to the Committee Substitute for Assembly Bill No. 1828. Assembly Bill No. 1828 has not been enacted into law. Assembly Bill No. 1825 (OCR) must be amended in this manner to ensure that it will have force and effect.

Accordingly, for the aforementioned reasons, I return Assembly Bill No. 1825 (OCR) to you and recommend that it be amended as follows:

Page 1, Section 1, Lines 2-4: After "businesses" delete ", as defined in P.L. , c. (C. ) (now pending before the Legislature as Assembly Committee Substitute for Assembly Bill No. 1828 of 1984),"

Respectfully,

/s/ Thomas H. Kean

\_\_\_\_\_  
GOVERNOR

[seal]

Attest:

/s/ W. Cary Edwards

\_\_\_\_\_  
Chief Counsel

The Distinguished Scholars Program is designed to encourage the State's best students to attend New Jersey colleges by awarding annual scholarships of \$1,000 for up to five years to students qualifying on academic merit who attend institutions of higher learning in the State.

The Governor also signed the following bills:

S-2677, also sponsored by Senator John F. Russo, which amends the Small Loan Business Act to allow a small loan lender to sell casualty insurance on the property of the borrower which is all or part of the security for the loan the borrower is receiving.

S-1835, sponsored by State Senator S. Louis Bassano, R-Union, which establishes the Alcohol Beverage Control Enforcement Bureau in the Division of State Police. The bill was originally the subject of a conditional veto because of an Assembly floor amendment which conformed the bill to another bill dealing with firearm carrying privileges for firemen investigating arson. The Governor objected to separate pieces of legislation being made to conform by amendment before he has decided what action to take on the bill.

A-1032, sponsored by Assemblyman John T. Hendrickson, Jr., R-Ocean, which permits the governing body of a county or municipality to appropriate funds to a public or private non-profit hospital which serves the county or municipality. The bill was originally conditionally vetoed to limit such contributions to hospitals.

A-1825, sponsored by Assemblyman Wayne Bryant, D-Camden, which prohibits a surety from discriminating against a minority or women's business in the provision of surety coverage. Surety bonds are commonly required for companies to bid on public contracts.