20:51-2

LEGISLATIVE HISTORY CHECKLIST

NJSA 2C:51-2	lis		csineligible corporations aintained by State Treasurer of State)
LAWS 1981	'СНАРТ	TER_	356
Bill No. A2174			
Sponsor(s) Riley, Dalton &	Karcher		
Date Introduced Oct. 16, 1	980		
Committee: Assembly State C	Govt., Federal & I	Interstate	Relations & Veterans Affairs
Senate State Gov	rt., Federal & Int	erstate R	elations & Veterans Affairs
Amended during passage	7 765	No	
Date of Passage: Assembly	eb. 23, 1981	The state of the s	
Senate	Dec. 14, 1981	- The special special specials are specials as the special specials are specials as the special specials are specials as the special 	
Date of approval	Dec. 26, 1981		(
Following statements are attac	ched if available	:	C : .
Sponsor statement	Yes	No	, (
Committee Statement: Assembly	y Yes	Na	· · · · · · · · · · · · · · · · · · ·
Senate	¥es	No	•
Fiscal Note	Xea	No	
Veto Message	Kex	No	
Message on signing	¥ecs.	No	
Following were printed:			700 1 - 1 - 1 - 1 - 1 - 1 - 1 - 1 - 1 - 1 -
Reports	Yes	No	
Hearings	Yesk	No	

CHAPTER 356 LAWS OF N. J. 198/ APPROVED 12-26-81

ASSEMBLY, No. 2174

STATE OF NEW JERSEY

INTRODUCED OCTOBER 16, 1980

By Assemblymen RILEY, DALTON and KARCHER

Referred to Committee on State Government, Federal and Interstate Relations and Veterans Affairs

An Act concerning corporations ineligible to conduct business with public entities and amending N. J. S. 2C:51-2.

- 1 Be it enacted by the Senate and General Assembly of the State
- 2 of New Jersey:
- 1 1. N. J. S. 2C:51-2 is amended to read as follows:
- 2 2C:51-2. Forfeiture of Public Office. a. A person holding any
- 3 public office, position, or employment, elective or appointive, under
- 4 the government of this State or any agency or political subdivision
- 5 thereof, who is convicted of an offense shall forfeit such office or
- 6 position if:
- 7 (1) He is convicted under the laws of this State of an offense
- 8 involving dishonesty or of a crime of the third degree or above or
- 9 under the laws of another state or of the United States of an offense
- 10 or a crime which, if committed in this State, would be such an
- 11 offense or crime;
- 12 (2) He is convicted of an offense involving or touching such
- 13 office, position or employment; or
- 14 (3) The Constitution or a statute other than the code so provides.
- b. The forfeiture set forth in subsection a. shall take effect:
- 16 (1) Upon finding of guilt by the trier of fact or a plea of guilty,
- 17 if the court so orders; or
- 18 (2) Upon sentencing unless the court for good cause shown,
- 19 orders a stay of such forfeiture. If the conviction be reversed, he
- 20 shall be restored, if feasible, to his office, position or employment
- 21 with all the rights, emoluments and salary thereof from the date
- 22 of forfeiture.
- 23 c. In addition to the punishment prescribed for the offense,
- 24 and the forfeiture set forth in 2C:51-2 a., any person convicted of
- 25 an offense involving or touching on his public office, position or

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

employment shall be forever disqualified from holding any office or position of honor, trust or profit under this State or any of its administrative or political subdivisions.

29 d. Except as may otherwise be ordered by the Attorney General 30 as the public need may require, any person convicted of an offense 31 under sections 2C:27-2, 2C:27-4, 2C:27-6, 2C:27-7, 2C:29-4, 322C:30-2, or 2C:30-3 of this Title shall be ineligible, either directly 33 or indirectly, to submit a bid, enter into any contract, or to conduct 34 any business with any board, agency, authority, department, com-35 mission, public corporation, or other body of this State, of this or one or more other states, or of one or more political subdivisions 36 37 of this State for a period of, but not more than, 10 years from the date of conviction for a crime of the second degree, or 5 years from 38 39 the date of conviction for a crime of the third degree. It is the purpose of this subsection to bar any individual convicted of any 40 of the above enumerated offenses and any business, including any 41corporation, partnership, association or proprietorship in which **4**2 such individual is a principal, or with respect to which such indi-**4**3 44 vidual owns, directly or indirectly, or controls 5% or more of the stock or other equity interest of such business, from conducting 45 46

business with public entities.

The [Secretary of] State *Treasurer* shall keep and maintain a list of all corporations barred from conducting such business pursuant to this section.

2. This act shall take effect immediately.

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STATEMENT

This bill directs the State Treasurer, instead of the Secretary of State, to maintain a list of those corporations ineligible to do business with public entities because one of their stockholders or principal officers has been convicted of bribery of a public official relate offenses.

The State Treasurer currently maintains a list of persons suspended or debarred from contracting with public agencies pursuant to Executive Order No. 34 of 1976. This bill would place the listing requirement upon the State officer having the most information relating to debarment from public contracting.

A2174 (1981)

ASSEMBLY STATE GOVERNMENT, FEDERAL AND INTERSTATE RELATIONS AND VETERANS AFFAIRS COMMITTEE

STATEMENT TO

ASSEMBLY, No. 2174

STATE OF NEW JERSEY

DATED: FEBRUARY 9, 1981

Under present law, the Secretary of State is charged with maintaining a list of those corporations ineligible to do business with public entities because one of the stockholders who owns or controls 5% or more of stock or one of the principal officers has been convicted of certain crimes, including bribery of a public official.

This bill shifts that responsibility to the State Treasurer, who currently maintains a list of persons suspended or debarred from contracting with public agencies pursuant to Executive Order No. 34 of 1976 and thus is the State officer having the most information relating to debarment from public contracting.