

2C:51-2

LEGISLATIVE HISTORY CHECKLIST

(Public contracts--ineligible corporations
--list to be maintained by State Treasurer
not Secretary of State)

NJSA 2C:51-2

LAWS 1981

CHAPTER 356

Bill No. A2174

Sponsor(s) Riley, Dalton & Karcher

Date Introduced Oct. 16, 1980

Committee: Assembly State Govt., Federal & Interstate Relations & Veterans Affairs

Senate State Govt., Federal & Interstate Relations & Veterans Affairs

Amended during passage Yes No

Date of Passage: Assembly Feb. 23, 1981

Senate Dec. 14, 1981

Date of approval Dec. 26, 1981

Following statements are attached if available:

Sponsor statement Yes ~~No~~

Committee Statement: Assembly Yes ~~No~~

Senate Yes No

Fiscal Note Yes No

Veto Message Yes No

Message on signing Yes No

Following were printed:

Reports Yes No

Hearings Yes No

Assembly
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CHAPTER 356 LAWS OF N. J. 1981
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.

15 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.

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.