

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2013

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HOUSE BILL 1036*
Committee Substitute Favorable 6/18/14

Short Title: No Revolving Door Employment.

(Public)

Sponsors:

Referred to:

May 15, 2014

A BILL TO BE ENTITLED

AN ACT TO PROHIBIT THE STATE FROM CONTRACTING WITH CONTRACTORS WHO UTILIZE FORMER STATE EMPLOYEES IN THE ADMINISTRATION OF STATE CONTRACTS WITHIN A SIX-MONTH WAITING PERIOD AFTER A STATE EMPLOYEE HAS TERMINATED EMPLOYMENT WITH THE STATE.

The General Assembly of North Carolina enacts:

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

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

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

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

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

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

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

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

SECTION 2. This act becomes effective October 1, 2014, and applies to contracts entered into on or after that date.

