

6306

2009-2010 Regular Sessions

I N S E N A T E

November 20, 2009

Introduced by Sen. MONTGOMERY -- read twice and ordered printed, and
when printed to be committed to the Committee on Rules

AN ACT to amend the state finance law, in relation to disqualification
from bidding on public contracts for five years for the disruption of
public hearings

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEM-
BLY, DO ENACT AS FOLLOWS:

1 Section 1. The state finance law is amended by adding a new section
2 139-l to read as follows:
3 S 139-L. DISQUALIFICATION FOR DISRUPTION OF A PUBLIC HEARING. 1. A
4 CLAUSE SHALL BE INSERTED IN ALL SPECIFICATIONS OR CONTRACTS HEREAFTER
5 MADE OR AWARDED BY THE STATE OR ANY PUBLIC DEPARTMENT, AGENCY OR OFFI-
6 CIAL THEREOF, FOR WORK OR SERVICES PERFORMED OR TO BE PERFORMED, OR
7 GOODS SOLD OR TO BE SOLD, TO PROVIDE THAT UPON THE DISRUPTION OF A
8 PUBLIC HEARING,
9 (A) SUCH PERSON CAUSING THE DISRUPTION, AND ANY FIRM, PARTNERSHIP OR
10 CORPORATION OF WHICH HE OR SHE IS A MEMBER, PARTNER, DIRECTOR OR OFFICER
11 SHALL BE DISQUALIFIED FROM THEREAFTER SELLING TO OR SUBMITTING BIDS TO
12 OR RECEIVING AWARDS FROM OR ENTERING INTO ANY CONTRACTS WITH THE STATE
13 OR ANY PUBLIC DEPARTMENT, AGENCY OR OFFICIAL THEREOF, FOR GOODS, WORK OR
14 SERVICES, FOR A PERIOD OF FIVE YEARS, AND TO PROVIDE ALSO THAT
15 (B) ANY AND ALL CONTRACTS MADE WITH THE STATE OR ANY PUBLIC DEPART-
16 MENT, AGENCY OR OFFICIAL THEREOF, AFTER THE EFFECTIVE DATE OF THIS
17 SECTION, BY SUCH PERSON, AND BY ANY FIRM, PARTNERSHIP OR CORPORATION OF
18 WHICH HE OR SHE IS A MEMBER, PARTNER, DIRECTOR OR OFFICER MAY BE
19 CANCELLED OR TERMINATED BY THE STATE WITHOUT INCURRING ANY PENALTY OR
20 DAMAGES ON ACCOUNT OF SUCH CANCELLATION OR TERMINATION, BUT ANY MONIES
21 OWING BY THE STATE FOR GOODS DELIVERED OR WORK DONE PRIOR TO THE CANCEL-
22 LATION OR TERMINATION SHALL BE PAID.
23 2. FOR PURPOSES OF THIS SECTION, DISRUPTION OF PUBLIC HEARING SHALL
24 MEAN DISORDERLY, CONTEMPTUOUS, OR INSOLENT BEHAVIOR, COMMITTED DURING A
25 PUBLIC HEARING, IN ITS IMMEDIATE VIEW AND PRESENCE, AND DIRECTLY TENDING
26 TO INTERRUPT ITS PROCEEDINGS.
27 S 2. This act shall take effect immediately.

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets
[] is old law to be omitted.

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