STATE OF NEW YORK

5919

2019-2020 Regular Sessions

IN ASSEMBLY

February 20, 2019

Introduced by M. of A. LALOR -- read once and referred to the Committee on Governmental Operations

AN ACT to amend the state finance law, in relation to requiring that certain bids for state contracts contain a statement certifying that the bidder has not hired persons in this country illegally

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. The state finance law is amended by adding a new section 148 to read as follows:

§ 148. Statement of not hiring of persons in this country illegally. 1. Every bid hereafter made to the state or any public department, agency or official thereof, where competitive bidding is required by statute, rule or regulation, for work or services performed or to be performed or goods sold or to be sold, shall contain the following statement subscribed by the bidder and affirmed by such bidder as true under the penalties of perjury:

(a) "Certification of not hiring of persons in this country illegally. By submission of this bid, each bidder and each person signing on behalf of any bidder certifies, and in the case of a joint bid each party thereto certifies as to its own organization, under penalty of perjury, that to the best of his or her knowledge and belief the persons hired by the bidder are persons allowed to remain and work within this country legally."

(b) Notwithstanding the foregoing, the statement of not hiring of persons in this country illegally may be submitted electronically in accordance with the provisions of subdivision seven of section one hundred sixty-three of the state finance law.

2. A bid shall not be considered for award nor shall any award be made where subdivision one of this section has not been complied with.

3. Any bid hereafter made to the state or any public department, agency or official thereof by a corporate bidder for work or services

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

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performed or to be performed or goods sold or to be sold, where competitive bidding is required by statute, rule or regulation, and where such bid contains the certification referred to in subdivision one of this section, shall be deemed to have been authorized by the board of directors of the bidder, and such authorization shall be deemed to include the signing and submission of the bid and the inclusion therein of the certificate as to not hiring of persons in this country illegally as the act and deed of the corporation.

§ 2. This act shall take effect immediately.