

ASSEMBLY, No. 113

STATE OF NEW JERSEY

219th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2020 SESSION

Sponsored by:

Assemblyman CHRISTOPHER P. DEPHILLIPS

District 40 (Bergen, Essex, Morris and Passaic)

SYNOPSIS

Concerns business entities employed by the Governor or the office of the Governor to conduct certain investigations.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



1 **AN ACT** concerning business entities employed by the Governor or
 2 the office of the Governor to conduct certain investigations and
 3 supplementing Title 52 of the Revised Statutes.

4
 5 **BE IT ENACTED** *by the Senate and General Assembly of the State*
 6 *of New Jersey:*

7
 8 1. a. A business entity that holds a contract with any State
 9 agency, or that has made a contribution to the candidate committee
 10 or joint candidates committee of the Governor in the immediately
 11 preceding election for Governor, shall not be eligible during the
 12 duration of that Governor's term in office to enter into a contract
 13 with the Governor or the office of the Governor to conduct an
 14 investigation into any matter that involves, or may involve, the
 15 Governor or the office of the Governor.

16 b. A business entity that has entered into a contract with the
 17 Governor or the office of the Governor to conduct an investigation
 18 into any matter that involves, or may involve, the Governor or the
 19 office of the Governor shall be ineligible during the duration of that
 20 Governor's term in office to enter into any other contract with any
 21 State agency or to make any contribution to the candidate
 22 committee or joint candidates committee of that Governor.

23 c. As used in this section:

24 "business entity" means any natural or legal person, business
 25 corporation, professional services corporation, limited liability
 26 company, partnership, limited partnership, business trust,
 27 association or any other legal commercial entity organized under
 28 the laws of this State or any other state or foreign jurisdiction. The
 29 definition of a business entity includes: (i) all principals who own
 30 or control more than 10 percent of the profits or assets of a business
 31 entity or 10 percent of the stock in the case of a business entity that
 32 is a corporation for profit, as appropriate; (ii) any subsidiaries
 33 directly or indirectly controlled by the business entity; (iii) any
 34 political organization organized under section 527 of the Internal
 35 Revenue Code that is directly or indirectly controlled by the
 36 business entity, other than a candidate committee, election fund, or
 37 political party committee; and (iv) if a business entity is a natural
 38 person, that person's spouse or child, residing therewith, are also
 39 included within this definition; and

40 "State agency" means any of the principal departments in the
 41 Executive Branch of the State Government, and any division, board,
 42 bureau, office, commission or other instrumentality within or
 43 created by such department and any independent State authority,
 44 commission, instrumentality or agency which is authorized by law
 45 to award contracts.

46
 47 2. This act shall take effect immediately.

1 STATEMENT

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3 This bill prohibits any business entity that holds a contract with
4 any State agency, or that has made a campaign contribution to the
5 Governor, from entering into a contract with the Governor or the
6 office of the Governor to conduct an investigation into any matter
7 that involves, or may involve, the Governor or the office of the
8 Governor for the duration of that Governor’s term in office.

9 In addition, the bill prohibits a business entity that has entered
10 into a contract with the Governor or the office of the Governor to
11 conduct an investigation into any matter that involves, or may
12 involve, the Governor or the office of the Governor from entering
13 into any other contract with any State agency or from making any
14 campaign contribution to that Governor for the duration of that
15 Governor’s term in office.