

ASSEMBLY, No. 1953

STATE OF NEW JERSEY

219th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2020 SESSION

Sponsored by:

Assemblywoman SERENA DIMASO

District 13 (Monmouth)

SYNOPSIS

Provides that certain persons holding public office or employment who enter into certain civil settlement agreements with public entity will forfeit public office or employment.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



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2

1 **AN ACT** providing that persons holding public office or
2 employment who enter into certain civil settlement agreements
3 with a public entity will forfeit public office or employment and
4 supplementing Title 52 of the Revised Statutes.

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

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9 1. a. Any person holding State or local government elective
10 public office who enters into a civil settlement agreement with a
11 public entity in which that person agrees to pay restitution to the
12 public entity for benefits improperly received, and in which the
13 public entity agrees not to refer the matter for criminal prosecution
14 unless the person fails to comply with the agreement, shall forfeit
15 that office and shall be ineligible to hold State or local government
16 public office or employment for a period of ten years.

17 b. Any person holding State or local government employment
18 who has a fiduciary duty to the public or responsibility for the
19 awarding of public contracts who violates that duty or improperly
20 benefits from the awarding of a contract and enters into a civil
21 settlement agreement with a public entity in which that person
22 agrees to pay restitution to the public entity for any benefits
23 improperly received, and in which the public entity agrees not to
24 refer the matter for criminal prosecution unless the person fails to
25 comply with the agreement, shall forfeit that employment and shall
26 be ineligible to hold State or local government public office or
27 employment for a period of ten years.

28 c. Any person who enters into a civil settlement agreement
29 shall not be entitled to any compromise with respect to the payment
30 of full restitution under that agreement and shall make full
31 restitution of all benefits improperly received.”

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33 2. This act shall take effect immediately

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STATEMENT

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38 Under this bill, any person who enters into a civil settlement
39 agreement with a public entity will not be entitled to any
40 compromise with respect to the payment of full restitution under
41 that agreement and will make full restitution of all benefits
42 improperly received.

43 The bill provides that any person holding State or local
44 government elective public office who enters into a civil settlement
45 agreement with a public entity in which that person agrees to pay
46 restitution to the public entity for benefits improperly received, and
47 in which the public entity agrees not to refer the matter for criminal
48 prosecution unless the person fails to comply with the agreement,

A1953 DIMASO

3

1 will forfeit that office and will be ineligible to again hold State or
2 local government public office or employment for a period of ten
3 years.
4 The bill also provides that any person holding State or local
5 government employment who has a fiduciary duty to the public or
6 responsibility for the awarding of public contracts who violates that
7 duty or improperly benefits from the awarding of a contract and
8 enters into a civil settlement agreement with a public entity in
9 which that person agrees to pay restitution to the public entity for
10 any benefits improperly received, and in which the public entity
11 agrees not to refer the matter for criminal prosecution unless the
12 person fails to comply with the agreement, will forfeit that
13 employment and will be ineligible to hold State or local government
14 public office or employment for a period of ten years.