

HB338 ENGROSSED



1 Y19X26-2

2 By Representatives Lipscomb, Paschal, Marques, Sorrells,

3 Brown, Smith, Stringer, Colvin, Woods, Faulkner, Kitchens,

4 Wadsworth, Underwood, Pettus, Rehm, Oliver, Shaw, Robertson,

5 Hulsey, Butler, Harrison, Hammett, DuBose, Wood (D),

6 Yarbrough, Sellers, Ingram, Shirey, Holk-Jones, Givens,

7 Gidley, Lomax, Kirkland, Fincher, Stubbs, Bolton, Easterbrook,

8 Starnes, Mooney, Reynolds, Paramore, Carns, Standridge,

9 Crawford, Kiel, Collins, Stadthagen, Shedd

10 RFD: Ethics and Campaign Finance

11 First Read: 18-Apr-23

12 2023 Regular Session



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A BILL
TO BE ENTITLED
AN ACT

Relating to public contracts; to provide circumstances under which a conflict of interest exists in the procurement of a public contract; to provide criminal penalties for a violation; and in connection therewith would have as its purpose or effect the requirement of a new or increased expenditure of local funds within the meaning of Section 111.05 of the Constitution of Alabama of 2022.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. (a) When an individual, through a public contract, provides services as a building construction design professional, as defined under Section 41-9A-3, Code of Alabama 1975, or anyone assembling bid documents, whether as an employee or a contractor or consultant, a conflict of interest exists if the individual is also employed by, or contractor to, a vendor for any materials, products, or other tangible property used for or to be incorporated into the design of that public contract for building construction.

(b) A violation of this section is a violation of the Ethics Law, Chapter 25 of Title 36, Code of Alabama 1975.



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29 Section 2. Although this bill would have as its purpose
30 or effect the requirement of a new or increased expenditure of
31 local funds, the bill is excluded from further requirements
32 and application under Section 111.05 of the Constitution of
33 Alabama of 2022, because the bill defines a new crime or
34 amends the definition of an existing crime.

35 Section 3. This act shall become effective on the first
36 day of the third month following its passage and approval by
37 the Governor, or its otherwise becoming law.



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House of Representatives

Read for the first time and referred18-Apr-23
to the House of Representatives
committee on Ethics and Campaign
Finance
Read for the second time and placed03-May-23
on the calendar:
1 amendment
Read for the third time and passed23-May-23
as amended
Yeas 102
Nays 0
Abstains 0

John Treadwell
Clerk