

HOUSE No. 16

So much of the recommendations of the Inspector General (House, No. 11) as relates to Chapter 30B notification. State Administration and Regulatory Oversight.

The Commonwealth of Massachusetts

In the One Hundred and Ninetieth General Court
(2017-2018)

An Act relative to Chapter 30B notification.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Section 17 of chapter 30B of the General Laws, as appearing in the 2014
2 Official Edition, is hereby amended by adding at the end thereof the following paragraphs:

3 (e) A contractor shall provide written notification to the inspector general within 60 days
4 whenever the contractor has credible evidence that a principal, employee, agent or subcontractor
5 of such contractor has, in connection with the award, performance, or closeout of a contract or
6 any subcontract thereunder:

7 (1) committed a violation of criminal law;

8 (2) committed a violation of sections 5A to 5J of chapter 12, the Massachusetts false
9 claims act;

10 (3) committed a violation of this chapter; or

11 (4) received a material overpayment on the contract.

12 (f) The inspector general may impose a suspension or debarment, as defined in section
13 29F of chapter 29, on a contractor as to contracts executed pursuant to this chapter, based upon a
14 preponderance of the evidence, for knowing failure by the contractor to provide the written
15 notification required in paragraph (e). Prior to the suspension or debarment of a contractor under
16 this section, the inspector general shall provide such contractor with the same notice and option
17 for a hearing as provided to contractors under subsections (d) and (e) of section 29F of chapter
18 29.