

HOUSE No. 3054

The Commonwealth of Massachusetts

PRESENTED BY:

Martin J. Walsh

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying bill:

An Act relative to ensuring public entities are not injured by long term contracts .

PETITION OF:

NAME:

Martin J. Walsh

DISTRICT/ADDRESS:

13th Suffolk

The Commonwealth of Massachusetts

In the Year Two Thousand and Nine

AN ACT RELATIVE TO ENSURING PUBLIC ENTITIES ARE NOT INJURED BY LONG TERM CONTRACTS .

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 12 of chapter 30B of the General Laws, as appearing in the 2006 Official Edition, is
2 hereby amended by striking out the first paragraph and replacing it with the following new paragraph:-
3 “(a) Unless otherwise provided by law and subject to paragraph (b), a governmental body may not enter
4 into a contract for a period of time exceeding five consecutive years, including renewals. The
5 procurement officer shall not enter into a contract unless funds are available for the first fiscal year at the
6 time of contracting. Payment and performance obligations for succeeding fiscal years shall depend on the
7 availability and appropriation of funds. If an awarding authority determines it is in its best interests to
8 have a contract for a period of longer than five years, including renewals, the awarding authority shall
9 seek the written approval of the state auditor before the issuance of any such request for proposals.