

HOUSE No.

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:-

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4 “(a) Unless otherwise provided by law and subject to paragraph (b), a governmental body may not enter
5 into a contract for a period of time exceeding five consecutive years, including renewals. The
6 procurement officer shall not enter into a contract unless funds are available for the first fiscal year at
7 the time of contracting. Payment and performance obligations for succeeding fiscal years shall depend
8 on the availability and appropriation of funds. If an awarding authority determines it is in its best
9 interests to have a contract for a period of longer than five years, including renewals, the awarding
10 authority shall seek the written approval of the state auditor before the issuance of any such request for
11 proposals.

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