

**Bill No.:** HB0033 **Effective:** 7/1/2021 12:00:00 AM

**LSO No.:** 21LSO-0073

**Enrolled Act No.:** HEA No. 0022

**Chapter No.:** 36

**Prime Sponsor:** Joint Judiciary Interim Committee

**Catch Title:** **Interference with public contracting.**

**Subject:** Creating criminal offenses related to interference with public contracts.

**Summary/Major Elements:**

- This bill establishes several criminal offenses related to interfering with the establishment or execution of public contracts. The offenses established in this act are:
  - Bid rigging (knowingly conspiring to submit bids in order to achieve the awarding of a contract to a certain person);
  - Bid rotating (Engaging in submitting bids to governmental entities in a manner to result in contract awards being distributed to a group of persons);
  - Acquiring or disclosing bidding information by a public servant;
  - Interfering with contract submission and award by a public servant;
  - Providing or accepting kickbacks;
  - Bribery of an inspector employed by a contractor.
- The act provides prohibitions on bidding for any person convicted of one (1) of the listed offenses for three (3) years but excludes the company for which the person worked if the company was not found criminally liable or if the company shows that the person took action without the company's authorization or upon the company's request.
- The act provides legislative findings relating to the establishment of the offenses and defines terms and specifies penalties for the criminal offenses and provisions.

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