

AMENDMENTS TO SENATE BILL NO. 1174

Sponsor: REPRESENTATIVE WILLIAMS

Printer's No. 2180

1 Amend Bill, page 5, by inserting between lines 14 and 15

2 Section 2.1. Section 8 of the act, amended May 20, 1949
3 (P.L.1614, No.486), is amended to read:

4 Section 8. Interested Members or Employees.--(1) No member
5 [or], employe or person appointed to any decision-making body of
6 an Authority shall acquire any interest, direct or indirect, in
7 any housing project or in any property included or planned to be
8 included in any project, nor shall he have any interest, direct
9 or indirect, in any contract or proposed contract for materials
10 or services to be furnished or used in connection with any
11 housing project. If any member [or], employe or person appointed
12 to any decision-making body of an Authority owns or controls an
13 interest, direct or indirect, in any property included or
14 planned to be included in any housing project of the Authority,
15 or has any such interest in any contract for material or
16 services to be furnished or used in connection with any housing
17 project, he shall immediately disclose the same in writing to
18 the Authority, and such disclosure shall be entered in writing
19 upon the minute books of the Authority. Failure so to disclose
20 such interest shall constitute misconduct in office. Upon such
21 disclosure, such member, employe or appointee to any decision-
22 making body of the Authority shall not participate in any action
23 by the Authority affecting such property. Any such undisclosed
24 profit, which results to any member or employe of an Authority
25 or person appointed to any decision-making body of the
26 Authority, shall render such member [or], employe or person
27 appointed to any decision-making body of the Authority liable to
28 surcharge in favor of the Authority to the full amount of such
29 profit. Such profit need not be realized in order to fall within
30 the meaning of this section. Proceedings to surcharge any member
31 [or], employe or person appointed to any decision-making body of
32 the Authority may be instituted by an Authority or by the State
33 Planning Board on its behalf with or without its consent.

34 (2) No member of the Authority, employe of the Authority or
35 any person appointed to any decision-making body of the
36 Authority shall engage in conduct or activities that would:

37 (i) be, or appear to be, in conflict with the member's,
38 employe's or appointee's official duties to the Authority or any

1 decision-making body of the Authority that is served by or
2 subject to the Authority;

3 (ii) secure, or appear to secure, unwarranted privileges or
4 advantages for such member, employe or appointee to any
5 decision-making body of the Authority or others; or

6 (iii) prejudice, or appear to prejudice, such member's,
7 employe's or appointee's to any decision-making body of the
8 Authority independence of judgment in exercise of his or her
9 official duties relating to the Authority.

10 (3) No member, employe or appointee to any decision-making
11 body of the Authority shall act in an official capacity in any
12 manner in which such member, employe or appointee to any
13 decision-making body of the Authority has a direct or indirect
14 financial or personal involvement.

15 (4) No member, employe or appointee to any decision-making
16 body of the Authority shall use his or her public office or
17 employment to secure financial gain to such member, employe or
18 appointee to any decision-making body of the Authority.

19 (5) No provision of this section shall preclude a tenant of
20 the Authority from serving as a member or employe of the
21 Authority or as an appointee to any decision-making body of the
22 Authority. No provision of this section shall preclude a tenant
23 of the Authority who is serving as a member, employe, or
24 appointee to any decision-making body of the Authority from
25 voting on any issue or decision, or participating in any action
26 by the Authority, unless a conflict of interest, as set forth in
27 paragraphs (2), (3) and (4), exists as to that particular tenant
28 and the particular property or interest at issue before, or
29 subject to action by the Authority.