

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1993

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SENATE BILL 759\*

Short Title: Liability for Unlawful Purchases.

(Public)

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Sponsors: Senators Sherron; and Carpenter.

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Referred to: Judiciary II.

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April 8, 1993

A BILL TO BE ENTITLED

AN ACT TO MAKE EMPLOYEES PERSONALLY LIABLE FOR COSTS  
ASSOCIATED WITH STATE CONTRACTS ENTERED INTO IN VIOLATION  
OF PURCHASE AND CONTRACT LAWS AND RULES.

The General Assembly of North Carolina enacts:

Section 1. G.S. 143-58 reads as rewritten:

**"§ 143-58. Contracts contrary to provisions of Article made void.**

If any department, institution or agency of the State government, required by this Article and the rules adopted pursuant thereto applying to the purchase or lease of supplies, materials, equipment, printing or services through the Secretary of Administration, or any nonstate institution, agency or instrumentality duly authorized or required to make purchases through the Department of Administration, shall contract for the purchase or lease of such supplies, materials, equipment, printing or services contrary to the provisions of this Article or the rules made hereunder, such contract shall be void and of no effect. If any such State or nonstate department, institution, agency or instrumentality purchases any supplies, materials, equipment, printing or services contrary to the provisions of this Article or the rules made hereunder, the employee who violated the provisions of this Article or the rules made hereunder and the executive officer of such department, institution, agency or instrumentality shall be personally liable for the costs thereof."

Sec. 2. This act becomes effective October 1, 1993, and applies to acts and omissions occurring after that date.