



Legislation Text

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Int. No. 91

By Council Members Seabrook, Comrie, Jennings, Koppell, McMahon, Monserrate, Reed, Rivera and Stewart;
also Council Members Dilan and Gennaro

A Local Law to amend the New York City charter in relation to prohibiting any funding or assistance to any nation supporting terrorism as detailed by the U.S. State Department and to amend the administrative code of the city of New York, in relation to prohibiting city contracts with entities that have ties to nations supporting terrorism as detailed by the U.S. State Department.

Be it enacted by the Council as follows:

Section 1. Declaration of Legislative Findings and Intent. The Council is concerned about terrorism following the vicious attacks of September 11th. Terrorist organizations survive because they are shielded, protected and funded by nations around the world. One way to minimize support to terrorist organizations is to prohibit the payment of City funds or City contracts to any entity that contracts in any way with any nation that is on the United States State Department list as supporting terrorism.

§2. Section 227 of the New York City charter is amended by adding a new subdivision c to read as follows:

c. No city agency, or entity, the majority of the members of whose board are city officials or are appointed directly or indirectly by city officials, shall use monies appropriated from any fund under the management of the city to pay any individual, corporation, organization or government that sends, conveys, solicits, distributes or channels funds, material support or resources, either directly or indirectly, to any nations supporting terrorism as detailed by the U.S. State Department.

§3. Title 6 of the administrative code of the city of New York is amended by adding thereto a new section 6-115 to read as follows:

a. No city agency shall contract for the supply of goods, services or construction with any contractor who does not agree to stipulate to the following as a material condition of the contract; the contractor, any franchisor of the contractor, and any subcontractor to be employed by the contractor, shall not send, convey, solicit, distribute or channel funds, material support or resources to any nation supporting terrorism as detailed by the United States State Department. Additionally, any contractor, franchisor of the contractor, and any subcontractor to be employed by the contractor shall certify that it is in compliance with the requirements of this section. Such certification shall be filed with the agency and made a part of the agency contract file.

b. Upon receiving information that a contractor who has made the stipulation and certification required by this section is in violation thereof, the contracting agency shall review such information and offer the contractor an opportunity to respond. If the contracting agency finds that a violation has occurred, it shall take such action as may be appropriate and provided for by law, rule or regulation, or contract, including, but not limited to, imposing sanctions, seeking compliance, recovering damages, declaring the contractor in default and seeking debarment or suspension of the contractor.

§4. If provision of this local law or application thereof is held invalid, the remainder of this local law and the application thereof to other persons or circumstances shall not be affected by such holding and shall remain in full force and effect.

§5. This local law shall take effect immediately.