

SENATE, No. 1742

By Mr. Hart, a petition (accompanied by bill, Senate, No. 1742) of [John A. Hart, Jr.](#), [Marc R. Pacheco](#), [Byron Rushing](#), [Martin J. Walsh](#), other members of the General Court and others for legislation relative to privatization contracts. [State Administration and Regulatory Oversight](#)

The Commonwealth of Massachusetts



In the Year Two Thousand and Five.

AN ACT RELATIVE TO PRIVATIZATION CONTRACTS

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1.

The first paragraph of section 54 of chapter 7 of the General Laws, as appearing in the 2002 Official Edition, is hereby amended by inserting after paragraph (1) the following paragraph:-

The agency shall prepare a written statement that the services proposed to be the subject of the privatization contract shall not be performed outside the territorial limits of the United States. A privatization contract and a subsequent agreement, including an agreement resulting from a rebidding of previously privatized service or an agreement renewing or extending a privatization contract shall include:

(a) a provision prohibiting the person awarded the contract from performing any portion of the services proposed to be the subject of the privatization contract outside the territorial limits of the United States;

(b) a provision prohibiting the person awarded the contract from entering into a subcontract with any person that will perform any portion of the services proposed to be the subject of the privatization contract outside the territorial limits of the United States.