

LOCAL LAW NO. 32-1980 OF SUFFOLK COUNTY



§ GIFTS TO PARTY OFFICIALS § 664-1
Chapter 664

POLITICAL PARTIES, GIFTS TO OFFICIALS OF

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[HISTORY: Adopted by the Suffolk County Legislature 12-9-1980 by L.L. No. 32-1980.(Ch.386 of the 1985 Code). Amendments noted where applicable. Uncodified sections of local laws amending these provisions are included at the end of this chapter]

§ 664-1 Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

AGREEMENT- Any written or oral contract or any implied contract, including but not limited to a contract for the sale of goods or services, a construction contract or a lease or contract relating to real or personal property. The term "agreement" shall also include any transaction whereby a person agrees to sell goods or services, or both, to the county pursuant to a successful bid.

GRATUITY-Any money, benefit, entertainment, gift or any other consideration whatsoever.

OFFICIAL OF A POLITICAL PARTY-A party officer as defined by § 1-104, Subdivision 5, of the Election Law.

PERSON-Any individual, partnership, firm, corporation or other legal entity, as well as its employees, agents or representatives.

POLITICAL PARTY-A party defined by § 1-104, Subdivision 3, of the Election Law.

§ 664-2 Prohibited acts.

- A. It shall be a crime for any person to offer or give any gratuity to an official of any political party with the purpose or intent of securing or obtaining an agreement with the County of Suffolk or securing favorable treatment with respect to the awarding or amending of such agreement or the making of any determination with respect to the performance of an agreement.
- B. It shall be a crime for an official of a political party to solicit, receive or accept a gratuity in connection with securing or obtaining an agreement with the County of Suffolk or securing favorable treatment with the respect to the awarding or amending of such agreement or the

making of a determination with respect to the performance of such agreement.

§ 664-3 Clauses required in all contracts.

In all agreements with the County of Suffolk made after the effective date of this chapter, there shall be a written representation by the person entering the agreement with the county that he has not offered or given any gratuity to any official, employee or agent of Suffolk County or New York State or of any political party, with the purpose or intent of securing an agreement or securing favorable treatment with respect to the awarding or amending of an agreement or making of any determinations with respect to the performance of an agreement, and that such person has read and is familiar with the provisions of this chapter.

§ 664-4 Penalties for offenses.

- A. Criminal. A violation of § 664-2 of this chapter shall be a Class A misdemeanor and shall be punishable by a sentence of not more than one (1) year in prison or a fine of not more than one thousand dollars (\$1,000), or both such fine and imprisonment.
- B. Civil remedies. A violation of § 664-2 or 664-3 of this chapter shall give the county the option, among other civil remedies, of either terminating the agreement or deducting the value of the gratuity from any amount due or to become due from the County thereunder.

§ 664-5 Exempt contributions.

This chapter shall not apply to contributions to political parties, committees or candidates as defined by § 14-100, Subdivision 9, of the Election Law. Such contributions shall be excluded from and shall not be in violation of this chapter.