

2014 -- S 2885 AS AMENDED

LC005276

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2014

A N A C T

AMENDING THE CHARTER OF NORTH PROVIDENCE

Introduced By: Senators Archambault, Ciccone, Ruggerio, E O'Neill, and Nesselbush

Date Introduced: April 09, 2014

Referred To: Senate Judiciary

It is enacted by the General Assembly as follows:

1 SECTION 1. Article 24 of Chapter 237 of the 1973 Public Laws entitled "An Act  
2 Incorporating the Town of North Providence" is hereby amended by adding thereto the following  
3 section:

4 **24-1-8. Prohibited Activities – Municipal Official Revolving Door.** – (a) No municipal  
5 elected official or municipal school committee member, whether elected or appointed, of the  
6 Town of North Providence, while holding office and for a period of two (2) years after leaving  
7 municipal office, shall seek or accept employment with the Town, or any department, office or  
8 agency thereof, other than employment which was held at the time of the official's election or  
9 appointment to office or at the time of enactment of this amendment to the North Providence  
10 Town Charter, except as provided herein.

11 (1) For purposes of this section, "employment" shall include any full-time or part-time  
12 employment in the classified, non-classified and unclassified service of the Town of North  
13 Providence, any individual serving in any appointed municipal position and any employees of any  
14 public or quasi-public municipal board, commission or corporation and also shall include service  
15 as an independent contractor or a consultant to the Town or a municipal agency of the Town,  
16 whether as an individual or a principal of an entity performing such service.

17 (2) For purposes of this section, "municipal agency" shall include any department,  
18 division, agency, commission, board, office, bureau, authority, quasi-public authority, or school,  
19 fire or water district and any other agency that is in any branch of municipal government of the

1 Town and exercises governmental functions other than in an advisory nature.

2 (b) Nothing contained herein shall prohibit a municipal elected official or municipal  
3 school committee member, whether elected or appointed, from seeking or being elected to any  
4 elective office.

5 (c) A violation of the provisions contained in this section of the Town Charter shall be  
6 enforced by the North Providence Town Council.

7 (d) A violation of the provisions contained herein shall, in addition to all other action  
8 provided hereunder, be referable to the appropriate law enforcement agency to be prosecuted as a  
9 misdemeanor punishable by a fine of not more than five hundred dollars (\$500), or by  
10 imprisonment for not more than one year, or both. Said referral shall not affect the Town  
11 Council's jurisdiction to take further action as provided under this section.

12 (e) A violation of the provisions contained herein shall require such violator to pay a civil  
13 penalty of not more than twenty-five thousand dollars (\$25,000) for each such violation of this  
14 section of the Town Charter as determined by the Town Council and the pecuniary value of any  
15 unjust enrichment realized by the violator as the result of his or her violation of this section.

16 (f) Notwithstanding the penalties set forth in § 24-1-8(d), the Town Council is further  
17 authorized to seek injunctive relief or an order to cease and desist within the courts of the state of  
18 Rhode Island to prohibit and restrain a particular individual from holding an employment position  
19 with the Town in violation of this section.

20 (g) The penalties and the authorized actions contained in this section are in addition to  
21 those set forth in § 24-6-1 of the Town Charter. If a conflict exists with regard to the penalties and  
22 authorized actions set forth herein and the penalties and authorized actions set forth in § 24-6-1,  
23 the penalties and authorized actions of this section shall be controlling.

24 SECTION 2. This act shall take effect upon passage.

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