

IMPORTANT NOTICE

SENATE BILL 1467

Public Contract Code Restrictions

Effective July 1, 2003, Senate Bill 1467 (authored by Senator Bowen) will amend California law making applicable to the California State University (CSU) certain civil service conflict of interest provisions located in the Public Contract Code. Although these restrictions have long been applicable to state civil service employees, they have not until this year been applicable to the CSU. These restrictions prevent CSU employees and immediate past employees from contracting with the CSU. Please be advised that employees who violate these restrictions will be in violation of the Public Contract Code. It is your responsibility to ensure that you do not violate the Code. The new restrictions are:

- ◀ **Restriction 1:** A CSU employee may not “contract on his or her individual behalf as an independent contractor with any state agency to provide services or goods.” (PCC §10410, made applicable to CSU by PCC §10430(a).)
- ◀ **Restriction 2:** A CSU employee may not contract or be employed by an agency that receives its funding from a state contract, unless required by his/her employment. (PCC § 10410, made applicable to CSU by PCC § 10430(a).)
- ◀ **Restriction 3:** For two years following retirement or separation from CSU employment, no former employee may enter into a contract “in which he or she engaged in any of the negotiations, transactions, planning, arrangements, or any part of the decision-making process relevant to the contract.” (PCC §10411 (a) made applicable to CSU by PCC §10430(a).)
- ◀ **Restriction 4:** For 12 months following retirement or separation from CSU, no former employee may contract with the CSU if he or she were employed by the CSU “in a policymaking position in the same general subject area as the proposed contract within the 12-month period prior to his or her retirement... or separation.” Excepted are contracts for expert witness services and contracts to continue attorney services. (PCC §10411(b) made applicable to CSU by PCC §10430(a).)

If you have questions about these restrictions and their impact on your ability to perform certain activities, please contact the Office of Human Services at (209) 667-3351 or the Office of Faculty Affairs at (209) 667-3392.