S T A T E O F N E W Y O R K

2569

2013-2014 Regular Sessions

I N S E N A T E

January 22, 2013

Introduced by Sen. BALL -- read twice and ordered printed, and when printed to be committed to the Committee on Finance

AN ACT relating to the procurement process of homeland security related goods and services and providing for the repeal of such provisions upon expiration thereof

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. Homeland security procurement. 1. Notwithstanding the provisions of any law, regulation or executive order to the contrary, any purchase by the state or by a state agency or local government unit of commodities, services, including technology to conform to article 11 of the state finance law, that is related to homeland security and paid for or reimbursed by federal funds awarded by the U.S. department of homeland security shall be exempt from pre-audit by the state comptroller as outlined in section 112 of the state finance law.

2. All homeland security commodities, services, including technology to conform to article 11 of the state finance law, shall be from the approved list of expenditures as outlined in federal grant guidance and be subject to the approval of the state administrative agency administering the federal homeland security funds.

3. Any state agency or local unit of government purchasing homeland security commodities, services, including technology to conform to article 11 of the state finance law, must submit for the procurement record a statement of justification that articulates the form, function and utility of the contract selected, and an indication as to why such contract is a best value for the state. All such procurement records shall be subject to both state and federal audit.

4. Homeland security procurement contracts may be exempt from advertising in the procurement opportunities newsletter providing that homeland security procurement contract solicitations be conspicuously adver-

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets [ ] is old law to be omitted.

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tised on either the requisite state agency website or the office of general services website.

S 2. This act shall take effect immediately and shall expire and be deemed repealed 2 years after such date.