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I N   S E N A T E

May 13, 2014

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Introduced by Sen. MARTINS -- (at request of the State Comptroller) --  
read twice and ordered printed, and when printed to be committed to  
the Committee on Commerce, Economic Development and Small Business

AN ACT to amend the economic development law and the state finance law,  
in relation to making technical corrections relating to thresholds for  
the publication of procurement opportunities

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

1     Section 1. Section 146 of the economic development law, as amended by  
2 chapter 95 of the laws of 2000 and renumbered by chapter 137 of the laws  
3 of 2008, is amended to read as follows:  
4     S 146. Approval of comptroller. The comptroller shall not approve or  
5 file any procurement contract for the acquisition of goods or services  
6 in the amount of [fifteen] FIFTY thousand dollars or more unless notice  
7 as provided in section one hundred forty-two of this article shall first  
8 have been published in the procurement opportunities newsletter at least  
9 fifteen business days prior to the date on which a bid or proposal was  
10 due. Provided, however, such requirement of publication of advance  
11 notice shall not apply to contracts exempt from such requirement under  
12 section one hundred forty-four of this article; provided further, that  
13 the comptroller shall not be required to disapprove a contract if he OR  
14 SHE determines that there has been substantial compliance with the  
15 requirements of section one hundred forty-two and section one hundred  
16 forty-three of this article. The foregoing provisions of this section  
17 shall not be construed to limit, in any manner, the right of the comp-  
18 troller to demand evidence of adequate competition or such other proofs  
19 as he OR SHE may require in the discharge of his OR HER responsibilities  
20 pursuant to section one hundred twelve of the state finance law or any  
21 other provision of law.  
22     S 2. Subdivision 6-a of section 163 of the state finance law, as added  
23 by section 4 of part D of chapter 56 of the laws of 2006, is amended to  
24 read as follows:  
25     6-a. Discretionary purchases. Notwithstanding the provisions of subdi-  
26 vision two of section one hundred twelve of this chapter relating to the

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

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1 dollar threshold requiring the state comptroller's approval of  
2 contracts, the commissioner of general services may make purchases or  
3 enter into contracts for the acquisition of commodities and services  
4 having a value not exceeding eighty-five thousand dollars without prior  
5 approval by any other state officer or agency in accordance with proce-  
6 dures and requirements set forth in this article. [Notwithstanding the  
7 provisions of article four-C of the economic development law, the  
8 commissioner of general services may make purchases or enter into  
9 contracts for the acquisition of commodities and services having a value  
10 not exceeding thirty thousand dollars without prior approval by any  
11 other state officer or agency in accordance with procedures and require-  
12 ments set forth in this article.]

13 S 3. This act shall take effect immediately, provided, that the amend-  
14 ment to subdivision 6-a of section 163 of the state finance law made by  
15 section two of this act shall not affect the repeal of such section and  
16 shall be deemed repealed therewith.