

# STATE OF NEW YORK

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5992

2021-2022 Regular Sessions

## IN ASSEMBLY

March 4, 2021

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Introduced by M. of A. PICHARDO, REYES -- read once and referred to the Committee on Governmental Operations

AN ACT to amend the state finance law, in relation to purchasing services and commodities

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. Paragraph g of subdivision 4 of section 163 of the state  
2 finance law, as added by chapter 10 of the laws of 2006, is amended to  
3 read as follows:

4 g. All state agencies shall require all contractors, including sub-  
5 contractors, that provide services for state purposes pursuant to a  
6 contract, to submit an annual employment report for each contract for  
7 services that includes for each employment category within the contract  
8 the number of employees employed to provide services under the contract,  
9 the number of hours they work [~~and~~], their total compensation under the  
10 contract and the average weekly wage paid to employees in each employ-  
11 ment category. Employment reports shall be submitted to the agency that  
12 awarded the contract, the department of civil service and the department  
13 of audit and control and shall be available for public inspection and  
14 copying pursuant to section eighty-seven of the public officers law  
15 provided that in disclosing such reports pursuant to the public officers  
16 law, the agency making the disclosure shall redact the name or social  
17 security number of any individual employee that is included in such  
18 document.

19 § 2. Paragraphs c and f of subdivision 14 of section 163 of the state  
20 finance law, as added by chapter 317 of the laws of 2014, are amended to  
21 read as follows:

22 c. The report required pursuant to subparagraph (iv) of paragraph a of  
23 this subdivision shall include:

24 (i) information required to be reported by the contractor annually by  
25 the employment category within the contract, including the planned

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

LBD08189-01-1

1 number of employees to provide services under the contract, the planned  
2 number of hours to be worked under the contract, [~~and~~] the total compen-  
3 sation planned under the contract, and the average weekly wage paid to  
4 employees in each employment category; and

5 (ii) information required to be reported by the contractor annually  
6 pursuant to paragraph g of subdivision four of this section, specif-  
7 ically, the actual number of employees, by employment category within  
8 the contract, employed to provide services under the contract, the  
9 number of hours worked [~~and~~], total compensation under the contract, and  
10 the average weekly wage paid to employees in each employment category.

11 f. All reports required under this subdivision shall be available for  
12 public inspection and copying pursuant to section eighty-seven of the  
13 public officers law provided that in disclosing such reports pursuant to  
14 the public officers law, the agency making the disclosure shall redact  
15 the name or social security number of any individual employee that is  
16 included in such document. All reports required under this paragraph  
17 shall be available in a searchable public database on the public website  
18 of the state procurement council.

19 § 3. Paragraph c of subdivision 15 of section 163 of the state finance  
20 law, as added by chapter 317 of the laws of 2014, is amended to read as  
21 follows:

22 c. All reports required under this subdivision shall be available for  
23 public inspection and copying pursuant to section eighty-seven of the  
24 public officers law provided that in disclosing such reports pursuant to  
25 the public officers law, the agency making the disclosure shall redact  
26 the name or social security number of any individual employee that is  
27 included in such document. All reports required under this paragraph  
28 shall be available in a searchable public database on the public website  
29 of the state procurement council.

30 § 4. This act shall take effect immediately, provided, however, that  
31 the amendments to section 163 of the state finance law made by sections  
32 one, two and three of this act shall not affect the repeal of such  
33 section and shall be deemed repealed therewith.