STATE OF NEW YORK

8665

IN ASSEMBLY

January 10, 2022

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

AN ACT to amend the state finance law, in relation to establishing procurement goals for the purchase of New York state food products by state agencies

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

Section 1. The state finance law is amended by adding a new section 163-c to read as follows:

§ 163-c. Procurement goals for New York state food products. 1. For the purposes of this section, the term "New York state food product" shall mean a food item that is:

(a) grown, harvested, or produced in this state; or

(b) processed inside or outside this state comprising over fifty-one percent agricultural raw materials grown, harvested, or produced in this state, by weight or volume.

2. (a) In order to create, strengthen, and expand local farm and food economies throughout New York, all state agencies shall set percentage goals for local food purchased yearly and if a state agency spends an amount greater than or equal to two million dollars annually on food or food products then: in the first and second year after the effective date of this section, at least fifteen percent of all food and food products purchased by such state agency shall be New York state food products; in the third year after the effective date of this section, at least twenty percent of all food and food products purchased by such state agency shall be New York state food products; and in the fourth year after the effective date of this section and thereafter, at least twenty-five percent of all food and food products purchased by such state agency shall be New York state food products.

(b) To meet the goal set forth in this subdivision, when a state agency's contract for the purchase of food or food products is to be awarded to the lowest responsible bidder, an otherwise qualified bidder who will fulfill the contract through the use of New York state food products may be given preference over other bidders, provided that the cost included

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

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in the bid of New York state food products is not more than ten percent greater than the cost included in a bid that is not for New York state food products.

§ 2. This act shall take effect one year after it shall have become a law.