

STATE OF NEW YORK

4165--A

2021-2022 Regular Sessions

IN SENATE

February 2, 2021

Introduced by Sen. BAILEY -- read twice and ordered printed, and when printed to be committed to the Committee on Procurement and Contracts -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the executive law, in relation to the publication of information regarding waivers of compliance with state contract provisions concerning minority and women-owned business enterprise participation requirements

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

1 Section 1. Paragraph (b) of subdivision 6 of section 313 of the execu-
2 tive law, as amended by chapter 96 of the laws of 2019, is amended to
3 read as follows:

4 (b) Upon the issuance of all waivers of compliance as provided in
5 paragraph (a) of this subdivision, the contracting agency shall: (i)
6 report the issuance of the waiver to the director; and (ii) publish on
7 the contracting agency's website on a monthly basis, if practicable, but
8 no less than on a quarterly basis, in a location easily accessible to
9 the general public: (1) information identifying the contract, including
10 the value of the contract; (2) the name of the contractor receiving the
11 waiver; (3) the date of the waiver; [~~and~~] (4) whether the waiver was a
12 partial or total waiver; and (5) the specific contract provisions to
13 which the waiver applies.

14 § 2. This act shall take effect on the sixtieth day after it shall
15 have become a law; provided, however, that:

16 a. the amendments to subdivision 6 of section 313 of the executive law
17 made by section one of this act shall not affect the expiration of arti-
18 cle 15-A of such law and shall be deemed to expire therewith; and

19 b. Effective immediately, the addition, amendment and/or repeal of any
20 rule or regulation necessary for the implementation of this act on its
21 effective date are authorized to be made and completed on or before such
22 effective date.

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

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