

STATE OF NEW YORK

7100

2023-2024 Regular Sessions

IN SENATE

May 18, 2023

Introduced by Sen. CLEARE -- read twice and ordered printed, and when printed to be committed to the Committee on Procurement and Contracts

AN ACT to amend the state finance law, in relation to increasing the state discretionary buying threshold without a formal competitive process for certain commodities from certain businesses

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

1 Section 1. Subdivision 6 of section 163 of the state finance law, as
2 separately amended by section 28 of part PP of chapter 56 and chapter
3 572 of the laws of 2022, is amended to read as follows:

4 6. Discretionary buying thresholds. Pursuant to guidelines established
5 by the state procurement council: the commissioner may purchase services
6 and commodities for the office of general services or its customer agen-
7 cies serviced by the office of general services business services center
8 in an amount not exceeding eighty-five thousand dollars without a formal
9 competitive process; state agencies may purchase services and commod-
10 ities in an amount not exceeding fifty thousand dollars without a formal
11 competitive process; and state agencies may purchase commodities or
12 services, including construction services, from small business concerns
13 or those certified pursuant to article fifteen-A of the executive law
14 and article three of the veterans' services law, or commodities or tech-
15 nology that are recycled or remanufactured in an amount not exceeding
16 one million five hundred thousand dollars without a formal competitive
17 process and for commodities that are food, including milk and milk
18 products, or animal or plant fiber products, grown, produced, harvested,
19 or processed in New York state or textile products manufactured from
20 animal or plant fiber grown or produced predominantly in New York state
21 in an amount not to exceed two hundred thousand dollars, without a
22 formal competitive process.

23 § 2. This act shall take effect on the sixtieth day after the effec-
24 tive date of section 28 of part PP of chapter 56 of the laws of 2022

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

LBD11132-01-3

1 takes effect; provided, however, that the amendments to section 163 of
2 the state finance law made by section one of this act shall not affect
3 the repeal of such section and shall be deemed repealed therewith.
4 Effective immediately the addition, amendment and/or repeal of any rule
5 or regulation necessary for the implementation of this act on its effec-
6 tive date are authorized to be made and completed on or before such
7 date.