

STATE OF NEW YORK

8452

2025-2026 Regular Sessions

IN ASSEMBLY

May 16, 2025

Introduced by M. of A. HYNDMAN -- read once and referred to the Committee on Tourism, Parks, Arts and Sports Development

AN ACT to require the commissioner of the parks and recreation department in New York city to create a formal publicly-available application process for sole-source concession agreements

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

- 1 Section 1. Sole-source concession agreements. 1. (a) Within six months
2 of the effective date of this act, the commissioner of parks and recre-
3 ation in the city of New York shall establish a formal publicly-availa-
4 ble application process for sole-source concession agreements and shall
5 receive inquiries to initiate such sole-source concession negotiations.
6 (b) Within 120 days of an application, the city shall respond to any
7 application to detail the parameters of a negotiation or deny the appli-
8 cation with cause that may be appealed.
9 (c) In the initial application response to detail six-month benchmarks
10 along the three-year timeline for various components of the concession
11 agreement to be negotiated.
12 (d) Within three years of the date that a response was provided to a
13 not-for-profit organization, the city shall complete any sole-source
14 concession negotiations.
15 2. Enforcement. (a) If the city fails to respond to an application
16 within 180 days, independent arbitration is authorized to generate a
17 sole-source concession agreement within six months. The city shall
18 adhere to the determination of the arbitrator.
19 (b) If the city fails to generate a sole-source concession agreement
20 within the three-year timeline established pursuant to paragraph (d) of
21 subdivision one of this act, independent arbitration is authorized to
22 generate a sole-source concession agreement within six months post-dead-
23 line.

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

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1 (c) The city parks, revenue and community outreach and partnership
2 development divisions shall oversee such sole-source concession agree-
3 ments.

4 (d) The franchise concession review committee shall grant approval of
5 any sole-source concession agreement.

6 3. Insurance. Any sole-source concessionaire which receives an agree-
7 ment with the city shall hold insurance and shall indemnify the city.

8 4. Definitions. For the purposes of this act, the following terms
9 shall have the following meanings:

10 1. "Sole-source concession agreement" means: (a) a document issued to
11 organizations which offer free and fee-based programming including but
12 not limited to museums, nature centers, recreational, educational and
13 environmental programs, urban agriculture initiatives, markets, special
14 events, weddings, restaurants/snack bar/wine;

15 (b) a system which combines features of a not-for-profit license
16 agreement with a concession agreement; and

17 (c) a system which is not a competitive process, however, not-for-pro-
18 fit organizations and the department of parks and recreation shall
19 justify to the franchise and concession review committee (FCRC) why such
20 services of such not-for-profit organization are so unique and valuable
21 to the department of parks and recreation that a different selection
22 procedure may be used.

23 2. "City" means the city of New York.

24 § 2. This act shall take effect immediately.