S T A T E O F N E W Y O R K

10322

I N A S S E M B L Y

March 18, 2010

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

AN ACT to amend the executive law, in relation to contracts to disseminate certain advertising materials

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. The executive law is amended by adding a new section 33 to read as follows:

S 33. CONTRACTS TO DISSEMINATE ADVERTISING MATERIALS. 1. FOR THE PURPOSES OF THIS SECTION, "STATE AGENCY" SHALL MEAN ANY STATE DEPARTMENT, BOARD, BUREAU, DIVISION, COMMISSION, COMMITTEE, PUBLIC AUTHORITY, PUBLIC BENEFIT CORPORATION, COUNCIL, OFFICE, OR OTHER GOVERNMENTAL ENTITY PERFORMING A GOVERNMENTAL OR PROPRIETARY FUNCTION FOR THE STATE.

2. NOTWITHSTANDING ANY OTHER PROVISION OF LAW, WHEN A STATE AGENCY ENTERS INTO A CONTRACT DIRECTLY OR THROUGH A THIRD PARTY TO DISSEMINATE, THROUGH MAILINGS OR OTHERWISE, ADVERTISING MATERIALS TO THE PUBLIC RELATING TO A PRODUCT OR SERVICE, SUCH CONTRACT SHALL EXCLUDE THE ADVERTISEMENT OF PRODUCTS OR SERVICES WHICH RELATE, DIRECTLY OR INDIRECTLY, TO THE AUTHORITY, MISSION, OR SUBJECT MATTER OF THE STATE AGENCY.

S 2. This act shall take effect immediately and shall apply to all contracts entered into on and after such effective date.

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

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