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

2915

2009-2010 Regular Sessions

I N S E N A T E

March 5, 2009

Introduced by Sens. DeFRANCISCO, BONACIC, GRIFFO, HANNON, O. JOHNSON, LARKIN, LITTLE, MAZIARZ, MORAHAN, SALAND, SEWARD, VOLKER, YOUNG -- read twice and ordered printed, and when printed to be committed to the Committee on Local Government

AN ACT to amend the general municipal law and the education law, in relation to purchasing services through the department of education

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

Section 1. The general municipal law is amended by adding a new section 109-c to read as follows:

S 109-C. PURCHASE OF SERVICES THROUGH STATE EDUCATION DEPARTMENT. NOTWITHSTANDING THE PROVISIONS OF SECTION ONE HUNDRED THREE OF THIS ARTICLE OR ANY OTHER GENERAL, SPECIAL OR LOCAL LAW, ANY OFFICER, BOARD OR AGENCY OF A VILLAGE, TOWN OR COUNTY IS AUTHORIZED TO MAKE PURCHASES THROUGH THE DEPARTMENT OF EDUCATION OR ANY LOCAL SCHOOL OR BOARD OF COOPERATIVE EDUCATION SERVICES (BOCES) DISTRICT SUBJECT TO SUCH RULES AND REGULATIONS AS MAY BE ESTABLISHED FROM TIME TO TIME PURSUANT TO SECTION ONE HUNDRED SIXTY-THREE OF THE STATE FINANCE LAW OR THROUGH THE GENERAL SERVICES ADMINISTRATION PURSUANT TO SECTION 1555 OF THE FEDERAL ACQUISITION STREAMLINING ACT OF 1994. ALL PURCHASES SHALL BE SUBJECT TO AUDIT AND INSPECTION BY THE VILLAGE, TOWN OR COUNTY. NO OFFICER, BOARD OR AGENCY OF A VILLAGE, TOWN OR COUNTY SHALL MAKE A PURCHASE THROUGH SUCH DEPARTMENT, SCHOOL OR BOCES DISTRICT WHEN BIDS HAVE BEEN RECEIVED FOR SUCH PURCHASE BY SUCH OFFICER, BOARD OR AGENCY, UNLESS SUCH PURCHASE MAY BE MADE UPON THE SAME TERMS, CONDITIONS AND SPECIFICATIONS AT A LOWER PRICE THROUGH SUCH DEPARTMENT, SCHOOL OR BOCES DISTRICT.

S 2. The education law is amended by adding a new article 25 to read as follows:

ARTICLE 25
SHARED CONTRACTS

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

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SECTION 1210. SHARED TELECOMMUNICATIONS AND INFORMATION TECHNOLOGY SERVICES.

S 1210. SHARED TELECOMMUNICATIONS AND INFORMATION TECHNOLOGY SERVICES. NOTWITHSTANDING THE PROVISIONS OF ANY GENERAL, SPECIAL OR LOCAL LAW TO THE CONTRARY, THE COMMISSIONER AND ANY LOCAL SCHOOL OR BOARD OF COOPERATIVE EDUCATIONAL SERVICES DISTRICT SHALL BE AUTHORIZED TO ENTER INTO AGREEMENTS TO SHARE PROCUREMENT CONTRACTS FOR TELECOMMUNICATIONS AND INFORMATION TECHNOLOGY SERVICES, AS REFERENCED IN SCHOOL DISTRICT CAPITAL EQUIPMENT AS DEFINED IN SUBDIVISION FORTY-THREE OF SECTION SIXTEEN HUNDRED SEVENTY-SIX OF THE PUBLIC AUTHORITIES LAW, OFFERED BY THE DEPARTMENT WITH ANY OFFICER, BOARD OR AGENCY OF A VILLAGE, TOWN OR COUNTY.

S 3. This act shall take effect immediately, and shall apply to procurement contracts entered into on or after such effective date.