

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:

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

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

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

21 ARTICLE 25  
22 SHARED CONTRACTS

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

LBD10154-01-9

1 SECTION 1210. SHARED TELECOMMUNICATIONS AND INFORMATION TECHNOLOGY  
2 SERVICES.

3 S 1210. SHARED TELECOMMUNICATIONS AND INFORMATION TECHNOLOGY SERVICES.  
4 NOTWITHSTANDING THE PROVISIONS OF ANY GENERAL, SPECIAL OR LOCAL LAW TO  
5 THE CONTRARY, THE COMMISSIONER AND ANY LOCAL SCHOOL OR BOARD OF COOPER-  
6 ATIVE EDUCATIONAL SERVICES DISTRICT SHALL BE AUTHORIZED TO ENTER INTO  
7 AGREEMENTS TO SHARE PROCUREMENT CONTRACTS FOR TELECOMMUNICATIONS AND  
8 INFORMATION TECHNOLOGY SERVICES, AS REFERENCED IN SCHOOL DISTRICT CAPI-  
9 TAL EQUIPMENT AS DEFINED IN SUBDIVISION FORTY-THREE OF SECTION SIXTEEN  
10 HUNDRED SEVENTY-SIX OF THE PUBLIC AUTHORITIES LAW, OFFERED BY THE  
11 DEPARTMENT WITH ANY OFFICER, BOARD OR AGENCY OF A VILLAGE, TOWN OR COUN-  
12 TY.

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