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I N   S E N A T E

June 22, 2010

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Introduced by Sen. HASSELL-THOMPSON -- (at request of the Governor) --  
read twice and ordered printed, and when printed to be committed to  
the Committee on Rules

AN ACT to amend the state finance law, in relation to discretionary  
purchases

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

1     Section 1. Subdivision 6 of section 163 of the state finance law, as  
2     amended by section 3 of part D of chapter 56 of the laws of 2006, is  
3     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 in an amount not exceeding eighty-five thousand dollars  
7     without a formal competitive process; state agencies may purchase  
8     services and commodities in an amount not exceeding fifty thousand  
9     dollars without a formal competitive process; and state agencies may  
10    purchase commodities or services from small business concerns or those  
11    certified pursuant to article fifteen-A of the executive law, or commod-  
12    ities or technology that are recycled or remanufactured, in an amount  
13    not exceeding [one] TWO hundred thousand dollars without a formal  
14    competitive process.  
15    S 2. Subdivision 2 of section 161 of the state finance law is amended  
16    by adding a new paragraph n to read as follows:  
17    N. RECOMMEND TO THE COMMISSIONER NECESSARY LEGISLATIVE CHANGES OR  
18    MODIFICATIONS TO EXISTING OR PROPOSED RULES, REGULATIONS AND PROCEDURES  
19    THAT WOULD INCREASE ACCESS TO THE STATE'S PROCUREMENT PROCESS BY MINORI-  
20    TY-OWNED BUSINESS ENTERPRISES AND WOMEN-OWNED BUSINESS ENTERPRISES AND  
21    CREATE MODEL LANGUAGE TO BE USED BY AGENCIES WHEN ISSUING REQUESTS FOR  
22    BIDS OR PROPOSALS TO OTHER SOLICITATIONS OR OFFERS THAT WOULD INCREASE  
23    THE ABILITY OF SMALL BUSINESSES TO PARTICIPATE IN STATE PROCUREMENTS.  
24    S 3. This act shall take effect on the ninetieth day after it shall  
25    have become a law; provided however, that the amendments to subdivision  
26    6 of section 163 of the state finance law made by section one of this  
27    act shall not affect the repeal of such section and shall be deemed  
28    repealed therewith.

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

LBD17549-04-0