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

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I N A S S E M B L Y

February 1, 2012

Introduced by M. of A. KAVANAGH -- read once and referred to the Committee on Banks

AN ACT to amend the state finance law, in relation to the procurement of banking services

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

Section 1. The state finance law is amended by adding a new section 163-c to read as follows:

S 163-C. PROCUREMENT OF BANKING SERVICES. IN MAKING AN AWARD OF CONTRACTS FOR BANKING SERVICES, AS PART OF THE SCORING OF OFFERS, IN ADDITION TO CONSIDERATION OF QUALITY, COST AND EFFICIENCY, A STATE AGENCY SHALL CONSIDER WHETHER THE FINANCIAL INSTITUTION HAS CHOSEN TO COMPLY WITH THE CAP ON THE RATE OF INTEREST AUTHORIZED IN SECTION 5-501 OF THE GENERAL OBLIGATIONS LAW AND ESTABLISHED BY SUBDIVISION ONE OF SECTION FOURTEEN-A OF THE BANKING LAW IN MAKING LOANS TO THE RESIDENTS OF THE STATE. THE SCORING SHALL BE ACCOMPLISHED IN ACCORD WITH REGULATIONS ADOPTED BY THE SUPERINTENDENT OF FINANCIAL SERVICES IN CONSULTATION WITH THE STATE COMPTROLLER.

S 2. This act shall take effect on the one hundred twentieth day after it shall have become a law provided, however, that effective immediately the addition, amendment and/or repeal of any rule or regulation necessary for the implementation of this act on its effective date are authorized and directed to be made and completed by the department of financial services on or before such effective date.

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

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