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

7768

I N S E N A T E

May 12, 2016

Introduced by Sen. SQUADRON -- read twice and ordered printed, and when printed to be committed to the Committee on Finance

AN ACT to amend the state finance law, in relation to the procurement and use of Open Source Initiative approved open source license by state agencies

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

Section 1. Subdivision 2 of section 161 of the state finance law is amended by adding two new paragraphs o and p to read as follows:

O. RECOMMEND TO THE COMMISSIONER NECESSARY LEGISLATIVE CHANGES OR MODIFICATIONS TO EXISTING OR PROPOSED RULES, REGULATIONS AND PROCEDURES THAT WOULD ALLOW FOR THE PROCUREMENT OF SOFTWARE DISTRIBUTED WITH AN OPEN SOURCE INITIATIVE APPROVED OPEN SOURCE LICENSE BY STATE AGENCIES.

P. ESTABLISH AND, FROM TIME TO TIME, AMEND GUIDELINES WITH RESPECT TO THE USE OF SOFTWARE DISTRIBUTED WITH AN OPEN SOURCE INITIATIVE APPROVED OPEN SOURCE LICENSE BY STATE AGENCIES IN THE PROCUREMENT PROCESS.

S 2. Subdivision 4 of section 163 of the state finance law is amended by adding a new paragraph h to read as follows:

H. STATE AGENCIES SHALL CONSIDER THE USE OF SOFTWARE DISTRIBUTED WITH AN OPEN SOURCE INITIATIVE APPROVED OPEN SOURCE LICENSE IF IT IS AVAILABLE IN THE FORM, FUNCTION AND UTILITY CONSISTENT WITH THEIR NEEDS IN ACCORDANCE WITH GUIDELINES ESTABLISHED BY THE STATE PROCUREMENT COUNCIL.

S 3. This act shall take effect immediately; provided however that the amendments to section 163 of the state finance law made by section two of this act shall not affect the repeal of such section and shall be deemed repealed therewith.

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

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