STATE OF NEW YORK

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1121--A

Cal. No. 172

2017-2018 Regular Sessions

IN SENATE

January 6, 2017
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Introduced by Sens. FUNKE, GOLDEN, MARCHIONE -- read twice and ordered
printed, and when printed to be committed to the Committee on Energy
and Telecommunications -- reported favorably from said committee,
ordered to first and second report, ordered to a third reading, passed
by Senate and delivered to the Assembly, recalled, vote reconsidered,
restored to third reading, amended and ordered reprinted, retaining
its place in the order of third reading

AN ACT to amend the state technology law, in relation to the creation of
a state information technology innovation center; and providing for
the repeal of such provisions upon expiration thereof

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1   Section 1. The state technology law is amended by adding a new section
2 103-a to read as follows:
3   **§ 103-a. State information technology innovation center. 1. The direc-**
4 **tor may establish a state information technology innovation center or**
5 **"iCenter" to develop, pilot, and consider technology solutions to assist**
6 **the state, state agencies, authorities, municipalities and other govern-**
7 **mental entities find potential solutions to their technology needs or**
8 **requirements. The director shall ensure the iCenter complies with all**
9 **state laws, rules, regulations, and policies. Vendor participation in**
10 **the iCenter shall not be construed to:**
11   **(a) create preferred status for any vendor in any government procure-**
12 **ment, or**
13   **(b) abrogate the requirement that technology procurements are awarded**
14 **pursuant to all applicable laws, including such laws requiring a compet-**
15 **itive process.**
16   **2. The director shall implement, by regulation, procedures to carry**
17 **out the provisions of this section. Such procedures shall include, but**
18 **not be limited to:**

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

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1   (a) establishing the process for selecting vendors for participation
2   in the iCenter, which shall be a public process;
3   (b) establishing a process to determine which technology needs or
4   requirements shall be iCenter initiatives; and
5   (c) establishing safeguards to ensure the iCenter does not function in
6   a manner that results in the circumvention of competitive bidding,
7   including but not limited to through single and sole source exemptions.
8   3. The director shall conduct an outreach campaign informing the
9   public of the iCenter and shall conduct specific outreach to minority
10 and women-owned business enterprises certified pursuant to article
11 fifteen-A of the executive law, small businesses as such term is defined
12 in section one hundred thirty-one of the economic development law, and
13 service disabled veteran owned business enterprises certified pursuant
14 to article seventeen-B of the executive law to inform such businesses of
15 iCenter initiatives.
16 4. Every October first, beginning in two thousand eighteen, the direc-
17 tor shall submit a report to the speaker of the assembly, the temporary
18 president of the senate, and the governor detailing iCenter initiatives
19 undertaken in the prior year. Such report shall include but not be
20 limited to: an identification of any resources used to support the iCen-
21 ter in the prior year; the number and nature of iCenter initiatives
22 undertaken in the prior year; the identity of vendors that participated
23 in the iCenter in the prior year, any iCenter initiatives piloted in the
24 prior year that were subsequently awarded a procurement contract with
25 any state agency; any future initiatives being considered for inclusion
26 in the iCenter; and an evaluation of the effectiveness of the iCenter.
27 Such report shall be publicly posted on the office's website.
28   § 2. This act shall take effect on the ninetieth day after it shall
29 have become a law and shall expire and be deemed repealed June 30, 2020.