

# STATE OF NEW YORK

8940

## IN SENATE

August 24, 2020

Introduced by Sen. BRESLIN -- 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 reducing service contract payments and to preclude the state from entering into new service contracts during a fiscal crisis

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

1 Section 1. Section 139-f of the state finance law is amended by adding  
2 a new subdivision 1-b to read as follows:

3 1-b. Suspension of payments in the event of a fiscal crisis. Notwith-  
4 standing any inconsistent provision of this section or any other law to  
5 the contrary, in the event that an adjustment or reduction in the appro-  
6 priations authorized for state operations pursuant to chapter fifty of  
7 the laws of two thousand twenty is effectuated pursuant to subdivision  
8 seven of section twenty-three of this chapter or pursuant to any other  
9 law or executive order, the director of the division of the budget shall  
10 effectuate corresponding reductions in payments to contractors providing  
11 services pursuant to this article and to other contractors providing  
12 services pursuant to sections one hundred thirty-six, one hundred thir-  
13 ty-six-a, one hundred thirty-six-b and one hundred thirty-six-c of this  
14 article for the duration of that fiscal year, provided, however, that  
15 those payments required to satisfy contractual obligations to pay debt  
16 service or contingent contractual obligations or otherwise required  
17 pursuant to section four of this chapter shall be paid.

18 § 2. Paragraph a of subdivision 4 of section 163 of the state finance  
19 law, as added by chapter 83 of the laws of 1995, is amended to read as  
20 follows:

21 a. The purchase of services by state agencies including the office of  
22 general services shall be conducted in a manner which accords first  
23 priority to preferred sources in accordance with the provisions of this  
24 article when the services required are available in the form, function  
25 and utility required by state agencies through a preferred source,  
26 provided, however, that no state agency shall be permitted to enter into  
27 any new contract or contracts for services after the date on which an

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

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adjustment or reduction in the appropriations authorized for state operations pursuant to chapter fifty of the laws of two thousand twenty is effectuated pursuant to subdivision seven of section twenty-three of this chapter or pursuant to any other law or executive order, provided, further, that agencies shall submit any request for contract services authorized pursuant to this section as a separate appropriation request for each contract service in the executive budget submission for the next fiscal year required by subdivision one of section twenty-two of this chapter.

§ 3. Paragraph a-1 of subdivision 3 of section 22 of the state finance law, as added by chapter 10 of the laws of 2006, is amended to read as follows:

a-1. For each state agency, the appropriations, including reappropriations, made for the current fiscal year and recommended for the ensuing fiscal year for contracts for services made for state purposes, provided, however, in the event an adjustment or reduction in the appropriations authorized for state operations pursuant to chapter fifty of the laws of two thousand twenty is effectuated pursuant to subdivision seven of section twenty-three of this chapter or pursuant to any other law or executive order, each state agency shall submit a request for each contract service or services not previously authorized pursuant to section one hundred sixty-three of this chapter as a separate appropriation request in the next ensuing executive budget submission required for the next state fiscal year pursuant to this section.

§ 4. This act shall take effect immediately; provided, however, that the amendments made to paragraph a of subdivision 4 of section 163 of the state finance law by section two of this act shall not affect the expiration and repeal of such section and shall expire and be deemed repealed therewith.