STATE OF NEW YORK

8646

IN SENATE

June 29, 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 the purchase of domestically produced personal protective equipment

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:

§ 163-c. Purchase of domestically produced personal protective equipment. Any state agency that purchases personal protective equipment shall, to the extent practicable, purchase such equipment from a business located within New York state and shall utilize preferred sources in accordance with section one hundred sixty-two of this article, for at least thirty percent of any individual order of such equipment. In the event a New York state business or preferred source is not able to supply such equipment any other domestically located business may be utilized to satisfy the requirements of this subdivision.

§ 2. Subdivision 9 of section 160 of the state finance law, as amended by chapter 106 of the laws of 2012, is amended and a new subdivision 11 is added to read as follows:

9. "State agency" or "state agencies" means all state departments, boards, commissions, offices or institutions but excludes, however, for the purposes of subdivision five of section three hundred fifty-five of the education law, the state university of New York and excludes, for the purposes of subdivision a of section sixty-two hundred eighteen of the education law, the city university of New York; provided, however, that the state university of New York and the city university of New York shall be subject to the provisions of [~~section~~] **sections** one hundred sixty-five-a **and one hundred sixty-three-c** of this article. Furthermore, such term shall not include the legislature or the judiciary.

11. "Personal protective equipment" shall mean equipment designed to prevent the transfer of a communicable disease, as such term is defined by section two of the public health law, including but not limited to:

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

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face masks, shields or coverings, gowns, gloves, testing kits, hand sanitizer, cleaning or disinfectant chemicals and any other equipment as determined by the commissioner.

§ 3. The commissioner of general services is authorized to promulgate rules and regulations necessary for the implementation of this act.

§ 4. This act shall take effect immediately.