

STATE OF NEW YORK

3430

2021-2022 Regular Sessions

IN ASSEMBLY

January 26, 2021

Introduced by M. of A. McDONALD, FAHY, GRIFFIN, WOERNER, OTIS, STERN, LUPARDO, GALEF, TAYLOR, DICKENS, B. MILLER, BUTTENSCHON, GUNTHER, McDONOUGH, TAGUE, ENGLEBRIGHT -- read once and referred to the Committee on Governmental Operations

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:

1 Section 1. The state finance law is amended by adding a new section
2 163-c to read as follows:

3 § 163-c. Purchase of domestically produced personal protective equip-
4 ment. Any state agency that purchases personal protective equipment
5 shall, to the extent practicable, purchase such equipment from a busi-
6 ness located within New York state and shall utilize preferred sources
7 in accordance with section one hundred sixty-two of this article, for at
8 least thirty percent of any individual order of such equipment. In the
9 event a New York state business or preferred source is not able to
10 supply such equipment any other domestically located business may be
11 utilized to satisfy the requirements of this subdivision.

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

15 9. "State agency" or "state agencies" means all state departments,
16 boards, commissions, offices or institutions but excludes, however, for
17 the purposes of subdivision five of section three hundred fifty-five of
18 the education law, the state university of New York and excludes, for
19 the purposes of subdivision a of section sixty-two hundred eighteen of
20 the education law, the city university of New York; provided, however,
21 that the state university of New York and the city university of New
22 York shall be subject to the provisions of [~~section~~ sections one
23 hundred sixty-five-a and one hundred sixty-three-c of this article.

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

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1 Furthermore, such term shall not include the legislature or the judici-
2 ary.

3 11. "Personal protective equipment" shall mean equipment designed to
4 prevent the transfer of a communicable disease, as such term is defined
5 by section two of the public health law, including but not limited to:
6 face masks, shields or coverings, gowns, gloves, testing kits, hand
7 sanitizer, cleaning or disinfectant chemicals and any other equipment as
8 determined by the commissioner.

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

11 § 4. This act shall take effect immediately.