STATE OF NEW YORK

4109

2021-2022 Regular Sessions

IN SENATE

February 2, 2021

Introduced by Sen. BRESLIN -- read twice and ordered printed, and when printed to be committed to the Committee on Procurement and Contracts

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:

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

1-c. Suspension of payments in the event of a fiscal crisis. Notwithstanding any inconsistent provision of this section or any other law to the contrary, in the event that 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, the director of the division of the budget shall effectuate corresponding reductions in payments to contractors providing services pursuant to this article and to other contractors providing services pursuant to sections one hundred thirty-six, one hundred thirty-six-a, one hundred thirty-six-b and one hundred thirty-six-c of this article for the duration of that fiscal year, provided, however, that those payments required to satisfy contractual obligations to pay debt service or contingent contractual obligations or otherwise required pursuant to section four of this chapter shall be paid.

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

a. The purchase of services by state agencies including the office of general services shall be conducted in a manner which accords first priority to preferred sources in accordance with the provisions of this article when the services required are available in the form, function

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

LBD08732-01-1

and utility required by state agencies through a preferred source, provided, however, that no state agency shall be permitted to enter into any new contract or contracts for services after the date on which 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, 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.