

# STATE OF NEW YORK

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5587

2021-2022 Regular Sessions

## IN SENATE

March 11, 2021

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Introduced by Sen. COMRIE -- 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 prohibiting the inclusion of confidential clauses in contracts entered into for the purchase of services or commodities by the state

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

1 Section 1. Paragraph a of subdivision 3 of section 163 of the state  
2 finance law is amended by adding a new subparagraph (viii) to read as  
3 follows:

4 (viii) Consistent with guidelines issued by the state procurement  
5 council, no state agency shall include any confidential clauses in  
6 contracts with the state. As used in this subparagraph "confidential  
7 clause" includes any clause not made available to the public through the  
8 procurement opportunities newsletter described in section one hundred  
9 forty-two of the economic development law.

10 § 2. This act shall take effect on the first of January next succeed-  
11 ing the date upon which it shall have become a law; provided, however,  
12 that the amendments to section 163 of the state finance law made by  
13 section one of this act shall not affect the repeal of such section and  
14 shall be deemed to be repealed therewith. Effective immediately the  
15 addition, amendment and/or repeal of any rule or regulation necessary  
16 for the implementation of this act on its effective date are authorized  
17 to be made and completed on or before such date.

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

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