

# STATE OF NEW YORK

6808

2021-2022 Regular Sessions

## IN SENATE

May 18, 2021

Introduced by Sen. HINCHEY -- 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 establishing procurement goals for the purchase of New York state food products by state agencies

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. Procurement goals for New York state food products. 1. For  
4 the purposes of this section, the term "New York state food product"  
5 shall mean a food item that is:

6 (a) grown, harvested, or produced in this state; or

7 (b) processed inside or outside this state comprising over fifty-one  
8 percent agricultural raw materials grown, harvested, or produced in this  
9 state, by weight or volume.

10 2. (a) In order to create, strengthen, and expand local farm and food  
11 economies throughout New York, all state agencies shall set percentage  
12 goals for local food purchased yearly and if a state agency spends an  
13 amount greater than or equal to two million dollars annually on food or  
14 food products then: in the first and second year after the effective  
15 date of this section, at least fifteen percent of all food and food  
16 products purchased by such state agency shall be New York state food  
17 products; in the third year after the effective date of this section, at  
18 least twenty percent of all food and food products purchased by such  
19 state agency shall be New York state food products; and in the fourth  
20 year after the effective date of this section and thereafter, at least  
21 twenty-five percent of all food and food products purchased by such  
22 state agency shall be New York state food products.

23 (b) To meet the goal set forth in this subdivision, when a state agen-  
24 cy's contract for the purchase of food or food products is to be awarded

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

LBD11264-03-1

1 to the lowest responsible bidder, an otherwise qualified bidder who will  
2 fulfill the contract through the use of New York state food products may  
3 be given preference over other bidders, provided that the cost included  
4 in the bid of New York state food products is not more than ten percent  
5 greater than the cost included in a bid that is not for New York state  
6 food products.

7 § 2. This act shall take effect one year after it shall have become a  
8 law.