STATE OF NEW YORK

8562

IN ASSEMBLY

January 9, 2024

Introduced by M. of A. BICHOTTE HERMELYN -- read once and referred to the Committee on Governmental Operations

AN ACT to amend the New York city charter, in relation to making a technical correction thereto; and to amend the state finance law, in relation to increasing state agencies' discretionary buying thresholds for certain commodities or services from businesses owned by minority, women and service-disabled veterans

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

Section 1. Paragraph 1 of subdivision i of section 311 of the New York city charter, as amended by a chapter of the laws of 2023 amending the New York city charter relating to the procurement limit for businesses owned by women and minorities, as proposed in legislative bills numbers S. 7563 and A. 7334, is amended to read as follows:

1. agencies may make procurements of goods, services and construction for amounts not exceeding one million[~~,~~] five hundred thousand dollars from businesses certified as minority or women-owned business enterprises pursuant to section thirteen hundred four of the charter without a formal competitive process.

§ 2. Subdivision 6 of section 163 of the state finance law, as separately amended by section 28 of part PP of chapter 56 and chapter 572 of the laws of 2022, is amended to read as follows:

6. Discretionary buying thresholds. Pursuant to guidelines established by the state procurement council:

(a) the commissioner may purchase services and commodities for the office of general services or its customer agencies serviced by the office of general services business services center in an amount not exceeding eighty-five thousand dollars without a formal competitive process;

(b) state agencies may purchase services and commodities in an amount not exceeding fifty thousand dollars without a formal competitive process; [~~and~~]

(c) state agencies may purchase commodities or services from small business concerns [~~or those certified pursuant to article fifteen-A of~~

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

LBD11322-02-4

~~the executive law and article three of the veterans' services law~~], or commodities or technology that are recycled or remanufactured in an amount not exceeding five hundred thousand dollars without a formal competitive process;

(d) state agencies may purchase commodities or services from those certified pursuant to article fifteen-A of the executive law and article three of the veterans' services law in an amount not exceeding seven hundred fifty thousand dollars without a formal competitive process; and [~~for~~]

(e) state agencies may purchase commodities that are food, including milk and milk products, or animal or plant fiber products, grown, produced, harvested, or processed in New York state or textile products manufactured from animal or plant fiber grown or produced predominantly in New York state in an amount not to exceed two hundred thousand dollars[~~,~~] without a formal competitive process.

§ 3. This act shall take effect on the same date and in the same manner as a chapter of the laws of 2023 amending the New York city charter relating to the procurement limit for businesses owned by women and minorities, as proposed in legislative bills numbers S. 7563 and A. 7334, takes effect; provided, however, that the amendments made to subdivision 6 of section 163 of the state finance law made by section two of this act shall not affect the repeal of such section and shall be deemed repealed therewith.