STATE OF NEW YORK

2509

2023-2024 Regular Sessions

IN SENATE

January 23, 2023

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:

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

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

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state finance law made by section one of this act shall not affect the repeal of such section and shall be deemed to be repealed therewith.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