STATE OF NEW YORK

3588

2023-2024 Regular Sessions

IN SENATE

February 1, 2023

Introduced by Sen. HELMING -- 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 granting a preference to New York State businesses in the state contract award process

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

Section 1. Section 162 of the state finance law is amended by adding a new subdivision 2-a to read as follows:

2-a. Preferred status for bids. a. Preferred status, as prescribed in this section, shall be accorded to bids where such bid's commodities or services are produced by a company whose headquarters and primary business presence are located in New York state and such bid was within five percent of the winning bid. A company's primary business presence is located in New York state when it realizes more than fifty percent of its combined gross revenues from business activity generated in New York state and has more than fifty percent of its full-time equivalent employees employed in New York state.

b. When preferred status is given to multiple bids, the best preferred status bid shall be considered the winning bid.

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

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

LBD05608-01-3