STATE OF NEW YORK

1936

2023-2024 Regular Sessions

IN ASSEMBLY

January 23, 2023

Introduced by M. of A. GONZALEZ-ROJAS, ZEBROWSKI -- read once and referred to the Committee on Governmental Operations

AN ACT to amend the state finance law, in relation to participation in state contracts

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

Section 1. The state finance law is amended by adding a new section 139-m to read as follows:

§ 139-m. Participation in contract prohibited; health insurance; transgender status. 1. A clause shall be inserted in all specifications or contracts hereafter made or awarded by the state or any public department, agency or official thereof, for work or services performed or to be performed, for goods sold or to be sold pursuant to which any contractor, to whom any contract shall be let, granted or awarded, agrees, as a material condition of the contract, that neither such contractor nor any substantially owned or affiliated person, firm, partnership or corporation has participated or is participating or shall participate in a health plan offered which does not cover services for transgender, non-binary, and gender expansive people, including but not limited to hormone replacement therapy, gender-affirming surgery, and treatment typically associated with one particular gender.

2. Any such contract shall be rendered forfeit and void by the state comptroller, if, subsequent to execution, such person, firm, partnership or corporation has been participating in such health plan which fails to provide services for transgender, non-binary, and gender expansive people.

3. Nothing contained in this section shall operate to impair any existing contract, except that any renewal, amendment or modification of such contract occurring on or after the effective date of this section shall be subject to the conditions specified in this section.

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

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4. The comptroller of the state shall have the power to issue rules and regulations pursuant to this section.

§ 2. This act shall take effect on the ninetieth day after it shall have become a law and shall apply to all contracts entered into, renewed or modified on and after the effective date of this act.