

# STATE OF NEW YORK

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6494--A

2023-2024 Regular Sessions

## IN ASSEMBLY

April 12, 2023

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Introduced by M. of A. FAHY -- read once and referred to the Committee on Governmental Operations -- recommitted to the Committee on Governmental Operations in accordance with Assembly Rule 3, sec. 2 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the state finance law, in relation to allowing for the donation of personal property of the state to certain not-for-profit organizations

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

1 Section 1. Subdivision 1 of section 167 of the state finance law, as  
2 added by chapter 83 of the laws of 1995, is amended to read as follows:  
3 1. The head of a state agency having custody or control of such prop-  
4 erty, except vehicles, may: (a) dispose of such property in accordance  
5 with applicable express statutory provisions, (b) reuse such property  
6 within the same state agency, (c) use the property in part payment on a  
7 new item which may include, but shall not be limited to, use as a trade-  
8 in or use in a guaranteed brokerage arrangement, (d) with the consent of  
9 the commissioner, place such property in the custody or control of the  
10 office of general services for reuse by other state agencies or for  
11 other disposition, or (e) where the fair market value of such property  
12 is less than an amount established from time to time by the commission-  
13 er, dispose of such property by such means as the head of such state  
14 agency deems to be in the best interest of the state or donate such  
15 property to a 501(c)(3) not-for-profit organization that is up to date  
16 on their annual filings. Records of each disposition shall be retained  
17 by the state agency disposing of such property and shall be subject to  
18 audit. Where personal property has been purchased from special funds, a  
19 state agency, upon designation of the source of funds from which such  
20 property was purchased, may condition the disposal of such property on  
21 the reimbursement of such special fund in the amount of the fair market

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

LBD10719-02-4

1 value of such property. All proceeds realized on sale or other transfer  
2 and not otherwise authorized to be deposited in a special fund, shall be  
3 deposited in the general fund of the state.  
4 § 2. This act shall take effect on the one hundred eightieth day after  
5 it shall have become a law.