

STATE OF NEW YORK

10881--A

IN ASSEMBLY

April 8, 2026

Introduced by M. of A. RAJKUMAR -- read once and referred to the Committee on Governmental Operations -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the state finance law, in relation to providing increased accountability where it concerns contract decisions; and to amend chapter 83 of the laws of 1995 amending the state finance law and other laws relating to bonds, notes and revenues, in relation to the effectiveness of certain provisions thereof

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

1 Section 1. Subparagraph (i) of paragraph b and paragraph d of subdivision
2 10 of section 163 of the state finance law, subparagraph (i) of
3 paragraph b as amended by chapter 137 of the laws of 2008 and paragraph
4 d as added by chapter 83 of the laws of 1995, are amended to read as
5 follows:

6 (i) Single or sole source procurements for services or commodities, or
7 procurements made to meet emergencies arising from unforeseen causes,
8 may be made without a formal competitive process and shall only be made
9 under [~~unusual circumstances~~] a declaration of a disaster emergency
10 pursuant to section twenty-eight of the executive law and shall include
11 a determination by the [~~commissioner or the~~] state [~~agency~~] comptroller
12 that the specifications or requirements for said purchase have been
13 designed in a fair and equitable manner. The purchasing agency shall
14 document in the procurement record, subject to review by the state comptroller,
15 the bases for a determination to purchase from a single source
16 or sole source, or the nature of the emergency giving rise to the
17 procurement.

18 d. It shall be in the discretion of the commissioner [~~or~~] state agency,
19 state comptroller or governor to require a bond or other guarantee
20 of performance, and to approve the amount, form and sufficiency thereof.

21 § 2. Subparagraphs (xii) and (xiii) of paragraph b of subdivision 14
22 of section 163 of the state finance law, as added by chapter 317 of the
23 laws of 2014, are amended and a new subparagraph (xiv) is added to read
24 as follows:

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

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- 1 (xii) number of bids/proposals received by the contracting agency;
- 2 [~~and~~]
- 3 (xiii) subtotals as deemed applicable[]; and
- 4 (xiv) any relationship pertinent to compliance with section seventy-
- 5 four of the public officers law.

6 § 3. Paragraph a of subdivision 15 of section 163 of the state finance
7 law, as added by chapter 317 of the laws of 2014, is amended to read as
8 follows:

9 a. State agencies shall report annually, on a fiscal year basis, [~~by~~
10 ~~July first of~~] no later than sixty days into the ensuing [~~year~~] fiscal
11 quarter to the state procurement council, the governor, the legislative
12 fiscal committees and the state comptroller the total number and total
13 dollar value of single source contracts awarded by the agency during the
14 fiscal year, and the percentage such contracts represent of the agency's
15 total number and total dollar value of contract awards during the
16 reporting period.

17 § 4. Subdivision 5 of section 362 of chapter 83 of the laws of 1995
18 amending the state finance law and other laws relating to bonds, notes
19 and revenues, as amended by section 1 of part RR of chapter 55 of the
20 laws of 2021, is amended to read as follows:

21 5. Sections thirty-one through forty-two of this act shall take effect
22 on the thirtieth day after it shall have become a law and shall be
23 deemed to have been in full force and effect on and after April 1, 1995;
24 provided that section 163 of the state finance law, as added by section
25 thirty-three of this act shall remain in full force and effect until
26 June 30, [~~2026~~] 2029 at which time it shall expire and be deemed
27 repealed. Contracts executed prior to the expiration of such section 163
28 shall remain in full force and effect until the expiration of any such
29 contract notwithstanding the expiration of certain provisions of this
30 act.

31 § 5. This act shall take effect immediately; provided, however, that
32 the amendments made to section 163 of the state finance law made by
33 sections one, two, and three of this act shall not affect the repeal of
34 such section and shall be deemed repealed therewith.