

STATE OF NEW YORK

11496

IN ASSEMBLY

May 28, 2026

Introduced by COMMITTEE ON RULES -- (at request of M. of A. Stirpe) --
read once and referred to the Committee on Governmental Operations

AN ACT to amend the state finance law, in relation to enacting the "NYS
PPE resilience & manufacturing act"

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

1 Section 1. Short title. This act shall be known and may be cited as
2 the "NYS PPE resilience & manufacturing act".

3 § 2. The state finance law is amended by adding a new section 165-b to
4 read as follows:

5 § 165-b. Purchasing of personal protective equipment by state-funded
6 entities. 1. As used in this section, the following definitions shall
7 apply:

8 (a) "Personal protective equipment" or "PPE" shall have the same defi-
9 inition as such term is defined by section one hundred forty-eight of
10 this chapter.

11 (b) "State-funded health care entity" shall mean: (i) any state agen-
12 cy, including the state university of New York and the city university
13 of New York; (ii) any hospital or nursing home, as such terms are
14 defined by section twenty-eight hundred one of the public health law,
15 that receives state funding, including but not limited to Medicaid
16 reimbursements or state grants; and (iii) any community health center,
17 diagnostic and treatment center, or federally qualified health center
18 receiving state aid or grants.

19 2. Notwithstanding any other provision of law, all state-funded health
20 care entities shall be required to purchase PPE manufactured in New York
21 state for all contracts exceeding fifty thousand dollars, provided that
22 such equipment is available and meets the required specifications for
23 form, function, and utility.

24 3. The commissioner may issue a waiver of the requirements of subdivi-
25 sion two of this section upon a finding that: (a) the specific type of
26 PPE is not produced in New York state in any quantity; or (b) the cost
27 of New York state manufactured PPE exceeds the cost of comparable PPE
28 manufactured outside the state by more than twenty percent.

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

LBD15944-01-6

1 4. Any waiver granted under subdivision three of this section shall be
2 published on the website of the office of general services for no less
3 than fifteen days to allow for public comment before the contract is
4 finalized.

5 § 3. This act shall take effect on the ninetieth day after it shall
6 have become a law. Effective immediately, the addition, amendment and/or
7 repeal of any rule or regulation necessary for the implementation of
8 this act on its effective date are authorized to be made and completed
9 on or before such effective date.