

STATE OF NEW YORK

6707

2025-2026 Regular Sessions

IN ASSEMBLY

March 7, 2025

Introduced by M. of A. SOLAGES, McDONALD -- (at request of the State Comptroller) -- read once and referred to the Committee on Governmental Operations

AN ACT to amend the state finance law, in relation to the public posting of certain contracts otherwise subject to prior approval of the comptroller

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 149 to read as follows:

§ 149. Certain contracts to be publicly posted. 1. For purposes of this section, the following terms shall have the following meanings:

(a) "Emergency contract" shall mean:

(i) any contract otherwise subject to prior approval by the comptroller pursuant to section one hundred twelve of the state finance law, which is executed or made effective in accordance with an executive order of the governor temporarily suspending such law, or any part thereof, pursuant to such governor's authority under section twenty-nine-a of the executive law; and

(ii) any contract otherwise eligible for prior approval by the comptroller pursuant to any provision of law, including section twenty-eight hundred seventy-nine-a of the public authorities law, which is executed or made effective in accordance with an executive order of the governor temporarily suspending such law, or any part thereof, pursuant to such governor's authority under section twenty-nine-a of the executive law.

(b) "Exempted contract" shall mean:

(i) any contract otherwise subject to prior approval by the comptroller pursuant to section one hundred twelve of the state finance law, which is executed or made effective in accordance with any provision of law expressly and specifically suspending the provisions of, exempting,

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

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1 or otherwise notwithstanding section one hundred twelve of the state
2 finance law, or any part thereof; and

3 (ii) any contract otherwise eligible for prior approval by the comp-
4 troller pursuant to any provision of law, including section twenty-eight
5 hundred seventy-nine-a of the public authorities law, which is executed
6 or made effective in accordance with any provision of law suspending the
7 provisions of, exempting, or otherwise notwithstanding such law, or any
8 part thereof.

9 2. (a) Within thirty days following the execution of an emergency
10 contract or an exempted contract, such state agency, department, board,
11 officer, commission, state authority, or institution shall post on the
12 contracting entity's public website the following information regarding
13 such emergency contract or exempted contract by contract number:

14 (i) if the contract is an emergency contract, the emergency declara-
15 tion that such contract pertains to, and if the contract is an exempted
16 contract, the provision of law suspended or exempted;

17 (ii) a brief description of the contract, including:

18 (A) the amount of the contract;

19 (B) the name of the vendor(s);

20 (C) the contract term;

21 (D) what is being provided by the contract; and

22 (E) if the contract is an emergency contract, a statement explaining
23 how the contract relates to the declared state disaster emergency; and

24 (b) whether the contract was awarded based on a competitive process,
25 and if not awarded pursuant to a competitive process, an explanation of
26 why a competitive process was not undertaken.

27 3. The provisions of this section shall not be suspended, modified, or
28 altered by the governor's authority to temporarily suspend provisions of
29 law during a state disaster emergency pursuant to section twenty-nine-a
30 of the executive law.

31 § 2. This act shall take effect on the thirtieth day after it shall
32 have become a law.