STATE OF NEW YORK

10738

IN SENATE

November 13, 2026

Introduced by Sen. CLEARE -- read twice and ordered printed, and when printed to be committed to the Committee on Rules

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:

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

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

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

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

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

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

3. The commissioner may issue a waiver of the requirements of subdivision two of this section upon a finding that: (a) the specific type of PPE is not produced in New York state in any quantity; or (b) the cost of New York state manufactured PPE exceeds the cost of comparable PPE 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.

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

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