

LEGISLATIVE SUMMARY
2012/2013 PUBLIC PROTECTION AND GENERAL GOVERNMENT ARTICLE VII BUDGET BILL
A.9055-D/S.6255-D
PART L

Section No.	Current Law	As Amended, Repealed or Added
1.		Omitted from Final Bill
2.	Section 163 (1) (j) State Finance Law Best Value Definition which provides for technical and financial evaluation of proposals for services and technology	Section 163 (1) (j) State Finance Law The definition was amended to permit, as part of the technical evaluation, use of a quantitative factor for small, minority or women-owned businesses.
3.	Section 163 (3) (a) (iv) and (viii) State Finance Law Authorizes the Commissioner to permit specific non state agencies to purchase from OGS centralized contracts for commodities.	Section 163 (3) (a) (iv) and (viii) State Finance Law Continues Commissioner's authority to permit non state agencies to be authorized users of OGS centralized contracts for commodities, but removes specific references to the qualified entities.
4.	Section 163 (3) (d) State Finance Law Authorizes the Commissioner to conduct investigations of state agencies in connection with procurements.	Section 163 (3) (d) State Finance Law Technical correction to clarify that the Commissioner's authority relates to Section 163 not just subdivision (3).
5.	Section 163 (4) (e) State Finance Law Authorizes the Commissioner to permit specific non state agencies to purchase from OGS centralized contracts for services and technology.	Section 163 (4) (e) State Finance Law Continues Commissioner's authority to permit non state agencies to be authorized users of OGS centralized contracts for services and technology, but removes specific references to the qualified entities
6.	Section 104 (1) General Municipal Law Authorizes political subdivisions to buy from OGS centralized contracts for materials, equipment, food products, supplies and services.	Section 104 (1) General Municipal Law Adds commodities and technology to the list of OGS centralized contracts that may be used by political subdivisions. Also provides for political subdivisions to purchase from another public entity's contracts.
7.	Section 163 (4) (b) (i) State Finance Law Sets forth the options for state agencies to purchase services and technology.	Section 163 (4) (b) (i) State Finance Law Changes the options to priorities so that agencies must purchase from OGS centralized contracts for services and technology that meet their form, function and utility as a second priority. First priority is accorded to purchases from preferred sources.
8.		Omitted from Final Bill
9.	Section 163 (5) State Finance Law Makes conforming changes based on changes made in Section 7 above.	Section 163 (5) State Finance Law Makes conforming changes based on changes made in Section 7 above.
10.	Section 163 (7) State Finance Law Authorizes electronic bidding for technology and for a limited list of commodities and services. Provided for Commissioner to prepare a report on the use of electronic bidding	Section 163 (7) State Finance Law Authorized electronic bidding for commodities, services and technology but limited the number of procurements where it could be used. Makes specific reference to the use of "reverse auctions" as a means of electronic bidding and also limits the number of procurements where it could be used. Continues reporting requirement, but adds additional elements that must be included in the report.
11.		Omitted from Final Bill

Section No.	Current Law	As Amended, Repealed or Added
12.	Section 163 (8) State Finance Law Requires public advertisement of procurement opportunities greater than \$15,000.	Section 163 (8) State Finance Law Increases requirement for public advertisement of procurement opportunities from \$15,000 to \$50,000.
13.	Section 161 (2) (m) State Finance Law Makes conforming changes based on changes made in Section 12 above.	Section 161 (2) (m) State Finance Law Makes conforming changes based on changes made in Section 12 above.
14.	Section 141 (3) Economic Development Law Makes conforming changes based on changes made in Section 12 above.	Section 141 (3) Economic Development Law Makes conforming changes based on changes made in Section 12 above.
15.	Section 141 2 (2) (b) Economic Development Law Makes conforming changes based on changes made in Section 12 above.	Section 141 2 (2) (b) Economic Development Law Makes conforming changes based on changes made in Section 12 above
16.	Section 143 Economic Development Law Makes conforming changes based on changes made in Section 12 above.	Section 143 Economic Development Law Makes conforming changes based on changes made in Section 12 above.
17.	Section 144 Economic Development Law Makes conforming changes based on changes made in Section 12 above.	Section 144 Economic Development Law Makes conforming changes based on changes made in Section 12 above.
18.	Section 112 (2) (a) State Finance Law Requires OSC review and approval of state agency contracts with a value over \$50,000 and for OGS contracts with a value over \$85,000.	Section 112 (2) (a) State Finance Law Removes requirement that OSC review and approved OGS centralized contracts
19.	Section 3 NYS Printing and Public Documents Law Authorizes the OGS Commissioner to procure printing for state agencies	Section 3 NYS Printing and Public Documents Law Authorizes the OGS Commissioner and state agencies to procure printing pursuant to provisions of Section 163 of the State Finance Law. Award of printing contracts is to be based on lowest price.
20.	Section 6 NYS Printing and Public Documents Law Describes department printing andand process for procuring it.	Section 6 NYS Printing and Public Documents Law REPEALED. See Section 19.
21.	Section 7 NYS Printing and Public Documents Law Sets forth bidding process for procurement of printing by the OGS Commissioner	Section 7 NYS Printing and Public Documents Law REPEALED. See Section 19.
22.	Section 8 NYS Printing and Public Documents Law Sets forth actions to be taken by the OGS Commissioner to terminate a printing contract	Section86 NYS Printing and Public Documents Law Sets forth actions to be taken by the OGS Commissioner and state agencies to terminate a printing contract.
23.	Section 1509 (g) Not-For-Profit Corporation Law Authorizes Cemetery Corporations to purchase from OGS centralized contracts except for printing.	Section 1509 (g) Not-For-Profit Corporation Law Deletes exclusion for procurement of printing.

Section No.	Current Law	As Amended, Repealed or Added
24.	Section 236 (3) (i) Education Law. Authorizes Public Television and Radio Corporations to purchase from OGS centralized contracts except for printing.	Section 236 (3) (i) Education Law Deletes exclusion for procurement of printing.
25.	Section 258-a Education Law Authorizes Museums, Historical Societies, Zoological Gardens, Aquariums, Botanical Gardens and Arboreta to purchase from OGS centralized Contracts except for printing.	Section 258-a Education Law Deletes exclusion for procurement of printing.
26.	Section 6404 Education Law Authorizes private educational institutions chartered by the Board of Rents to purchase from OGS centralized Contracts except for printing	Section 6404 Education Law Deletes exclusion for procurement of printing.
27.	Section 104 General Municipal Law Authorizes local governments (political subdivisions) to purchase from OGS centralized Contracts except for printing.	Section 104 General Municipal Law Deletes exclusion for procurement of printing.
28.	Section 109-a General Municipal Law Authorizes quasi-public organizations to purchase from OGS Centralized Contracts except for printing.	Section 109-a General Municipal Law Deletes exclusion for procurement of printing.
29.	Chapter 741 (a) Laws of 1985 Authorizes charitable organizations to purchase from OGS Centralized Contracts except for printing.	Chapter 741 (a) Laws of 1985 Deletes exclusion for procurement of printing
30.	Section 160 (7) State Finance Law For purposes of procurement defines "services." It excludes printing from the definition.	Section 160 (7) State Finance Law Deletes exclusion for procurement of printing form the definition.
31.	Section 355 (5) (a) Education Law Provides for purchase materials, equipment and supplies, including computer equipment and motor vehicles by SUNY.	Section 355 (5) (a) Education Law Adds proprietary electronic information resources to the list commodities that may be purchased by SUNY.
32.	Section 355 (5) (a) Education Law Provides for purchase materials, equipment and supplies, including computer equipment and motor vehicles by SUNY.	Section 355 (5) (a) Education Law Adds proprietary electronic information resources to the list commodities that may be purchased by SUNY.
33.	Section 6218 (a) (1) (i) Education Law Provides for purchase materials, equipment and supplies, including computer equipment and motor vehicles by CUNY.	Section 6218 (a) (1) (i) Education Law Adds proprietary electronic information resources to the list commodities that may be purchased by CUNY.
34.	Section 6218 (a) (1) (i) Education Law Provides for purchase materials, equipment and supplies, including computer equipment and motor vehicles by CUNY.	Section 6218 (a) (1) (i) Education Law Adds proprietary electronic information resources to the list commodities that may be purchased by CUNY.

Section No.	Current Law	As Amended, Repealed or Added
35.	Section 160 (3) State Finance Law For purposes of procurement defines “commodities.”	Section 160 (3) State Finance Law Adds proprietary electronic information resources to the definition of commodities for purposes of State procurement.
36.	Section 163 (1) (k) State Finance Law <i>No current paragraph.</i>	Section 163 (1) (k) State Finance Law ADD a definition for “authorized user” identifying non state entities that may purchase from OGS centralized contracts.
37.	Chapter 83 (362 (5) of the Laws of 1995 Sets forth and expiration date of June 30, 2012 for Section 163 of the State Finance Law.	Chapter 83 (362 (5) of the Laws of 1995 Extends Section 163 through June 30, 2016.
38.	Section 179-ee State Finance Law <i>No current section.</i>	Section 179-ee State Finance Law ADD a provision to set forth what modifications of contracts with not-for-profits require review by the State Comptroller.
39.		Effective date: This act takes effect immediately which would be the date the bill is signed by the Governor. It would be applicable to solicitations issued after that date. Solicitations issued before that date will be subject to the provisions of law in effect on the date of their issuance.