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N.Y. State Finance Law Section 179-AA

Advisory committee

There is hereby established a not-for-profit contracting advisory committee. The advisory committee shall consist of sixteen members which shall include eight appointed members, four to be appointed by the governor who shall be representatives of not-for-profit organizations providing services in the state, and two each to be appointed by the governor upon recommendation of the temporary president of the senate and speaker of the assembly, and eight ex officio members of the committee, one each designated from the division of the budget, the department of law, the office of the state comptroller, and the education department. The governor shall also designate four members from among the following agencies: the department of state, the office of children and family services, the office of temporary and disability assistance, the department of health, the office of mental hygiene, the office for people with developmental disabilities, and the department of labor. The governor shall designate an appointee to serve as chair of the committee. The advisory committee shall meet at least quarterly and upon its own initiative may: comment and report on the implementation and operation of the not-for-profit short-term revolving loan fund; advise the governor, comptroller and state agencies on the implementation and operation of this article; evaluate the benefits of requiring all state agencies to use standard contract language and the extent to which standard language may be effectively included in contracts with not-for-profit organizations; review annually the report of the office of the state comptroller made pursuant to [§ 179-BB \(Reports\)](#); and propose any legislation they deem necessary to improve the fund and this article. The committee shall report to the governor and the legislature with recommendations on improving the contracting procedures with not-for-profit organizations which receive state funds through the intermediary of municipalities. Such reports shall be due annually not later than December first. [↗](#)

Source: Section 179-AA — Advisory committee, <https://www.nysenate.gov/legislation/laws/STF/179-AA> (updated Dec. 20, 2019; accessed Apr. 19, 2025).

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Blank Outline Levels



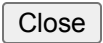
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N.Y. State Finance Law Section 179-BB Reports

1.

Each state agency contracting with not-for-profit organizations shall annually prepare and transmit a report to the office of the state comptroller by March thirty-first of each year. Such report, which shall be made available to the public by the office of the state comptroller, shall include, but not be limited to, information regarding the number of programs affected by this article, the ability of the state agency to meet the time frames described within this article, the number of programs, contracts, renewal contracts both complying and failing to comply with the time frames set forth in this article and the amount of interest paid. The office of the state comptroller shall prepare an annual report examining the effectiveness and implementation of prompt contracting and payment as required by this article. In addition to examining the effectiveness and implementation of this article, the office of the state comptroller shall make any recommendations they deem necessary to improve existing contracting and payment methods between state agencies and not-for-profit organizations. The office of the state comptroller shall transmit such report by May thirty-first of each year to the governor, the temporary president and minority leader of the senate, the speaker and the minority leader of the assembly, the director of the division of the budget, the chairman of the senate finance committee and the chairman of the assembly ways and means committee. [↗](#)

2.

The office of the state comptroller shall, not later than one year after the date on which the act enacting this article shall have become a law, report to the governor, the temporary president and minority leader of the senate, the speaker and minority leader of the assembly, the director of the division of

the budget, the chairman of the senate finance committee and the chairman of the assembly ways and means committee on the impact of the not-for-profit short-term revolving loan fund in avoiding negative impacts on working capital or cash flow problems experienced by not-for-profit organizations when entering into contracts with state agencies. In examining the impact of the loan fund on not-for-profit organizations providing services on behalf of state agencies, the comptroller shall make any recommendation deemed necessary, including, but not limited to, whether: prompt contracting and payment by state agencies has reduced the financial strain on not-for-profit organizations; the amount of money in the loan fund should be increased; the maximum loan a not-for-profit organization may receive from the loan fund should be increased; not-for-profit organizations providing services pursuant to contracts with public benefit corporations should be able to access the loan fund; and, any additional legislation is necessary to further improve the loan fund. Such report shall also include information regarding the number of loans made by the fund, the amount of each loan and any other pertinent information pertaining to the operation of the loan fund.

3.

The office of the state comptroller and the office of management and productivity shall jointly prepare a report examining the issue of prompt contracting for seasonal programs and shall make recommendations for action which will assure expeditious contracting and payment to ensure stability of funding and provision of service. Such report shall be delivered to the governor, the temporary president and minority leader of the senate, the speaker and minority leader of the assembly, the director of the division of the budget, the chairman of the senate finance committee and the chairman of the assembly ways and means committee not later than thirty days after the date on which the act enacting this article shall have become a law.

Source: Section 179-BB — Reports, <https://www.nysenate.gov/legislation/laws/STF/179-BB> (updated Sep. 22, 2014; accessed Apr. 19, 2025).

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N.Y. State Finance Law Section 179-CC

Judicial review

Any state agency action or failure to act with respect to the contract approval process in implementation of a program under the provisions of this article shall be subject to judicial review in an action pursuant to article seventy-eight of the civil practice law and rules brought by a not-for-profit organization which provides services that would or could assist a state agency in carrying out activities with respect to such program. [↗](#)

Source: Section 179-CC — Judicial review, <https://www.nysenate.gov/legislation/laws/STF/179-CC> (updated Sep. 22, 2014; accessed Apr. 19, 2025).

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N.Y. State Finance Law Section 179-DD Severability

If any clause, sentence, paragraph, section or part of this article shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, section, or part thereof directly involved in the controversy in which such judgment shall have been rendered. [↗](#)

Source: Section 179-DD — Severability, <https://www.nysenate.gov/legislation/laws/STF/179-DD> (updated Sep. 22, 2014; accessed Apr. 19, 2025).

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N.Y. State Finance Law Section 179-EE

Other provisions for contracts and appropriations

1.

Notwithstanding any other provision of this article to the contrary, for the purposes of calculating timeframes as provided in [§ 179-S \(Time frames for the implementation of new programs and the execution of new contracts\)](#), the enactment date of an appropriation which finances a contract with a not-for-profit organization which has been identified for a state agency without the use of a request for proposals shall be deemed to be the date on which such not-for-profit organization is identified. [↗](#)

2.

Notwithstanding any other provision of this article, no state agency shall be liable for interest payments on contracts executed pursuant to appropriations made in whole or in part for liabilities incurred in a prior fiscal year.

3.

A modification to a contract that would result in a transfer of funds among program activities or budget cost categories but does not affect the amount, consideration, scope or other terms of such contract shall not, by itself, require such contract and modification to be submitted to the comptroller for review; provided, however, where the amount of such modification is, as a portion of the total value of the contract, equal to or greater than ten

percent for contracts of less than five million dollars, or five percent for contracts of more than five million dollars, the comptroller may require that such modification be submitted to him or her for review.

Source: Section 179-EE — Other provisions for contracts and appropriations, <https://www.nysenate.gov/legislation/laws/STF/179-EE> (updated Sep. 22, 2014; accessed Apr. 19, 2025).

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N.Y. State Finance Law Section 179-Q

Definitions

As used in this article the following terms shall have the following meanings unless otherwise specified:

1.

“Contract” means an enforceable agreement entered into by a not-for-profit organization and a state agency or any agent acting for such state agency in the procurement process.

2.

“Contract approval process” means all activities required to take place prior to the final execution of a contract. Such process shall include, but not be limited to, the submission of program plans, the issuance of certificates of approval, the development and issuance of an RFP as herein defined or other bid document, review and approval of all responses to the RFP, notification of a contract award, and the preparation, signing and approval of a contract by all required state officials and the not-for-profit organizations. [↗](#)

3.

“Certificate of approval” means the document approved by the director of the budget that authorizes an agency to expend funds in accordance with [§ 49 \(Segregation of lump sum appropriations\)](#).

4.

“Fully-executed contract” means a contractual agreement signed by both a state agency and a not-for-profit organization, subsequently approved by the office of the state comptroller and placed on file in that office, which is thereafter enforceable by law.

5.

“Advance payment” means a payment or payments made by a state agency to a not-for-profit organization for services rendered pursuant to a written directive or as the result of exercising an advance payment provision included in a contract or renewal contract.

6.

“Program plan” means the document developed by a state agency, which shall include for each program:

(a)

the amounts to be allocated for renewal of contracts;

(b)

the amounts to be allocated for new contracts;

(c)

the method by which all contracts will be awarded, such methods shall include, but not be limited to, requests for proposals, preferred provider, and sole source;

(d)

the timetable for the selection of providers and contract development, including but not limited to, timetables for RFP development and response and provider notification; and

(e)

the timetable for promulgation of regulations as may be required for implementation. The plan must also include an outline of goals and objectives for any program undertaken by a not-for-profit organization or groups of organizations on behalf of the state.

7.

“Not-for-profit organization” or “organization” means a domestic corporation incorporated pursuant to or otherwise subject to the not-for-profit corporation law, a charitable organization registered with the secretary of state, a special act corporation created pursuant to chapter four hundred sixty-eight of the laws of eighteen hundred ninety-nine, as amended, a special act corporation formed pursuant to chapter two hundred fifty-six of the laws of nineteen hundred seventeen, as amended, a corporation authorized pursuant to an act of congress approved January fifth, nineteen hundred five, (33 stat. 599), as amended, a corporation established by merger of charitable organizations pursuant to an order of the supreme court, New York county dated July twenty-first, nineteen hundred eighty-six and filed in the department of state on July twenty-ninth, nineteen hundred eighty-six, or a corporation having tax exempt status under section 501(c)(3) of the United States Internal revenue code, and shall further be deemed to mean and include any federation of charitable organizations.

8.

“RFP” means a request for proposals issued by a state agency for the purpose of soliciting not-for-profit organizations to operate a program or perform a service through a contract with a state agency.

9.

“Renewal contract” means the documents necessary to continue in effect an existing contract between a state agency and not-for-profit organization, including any simplified contract documents in a form approved by the office of the state comptroller.

10.

“Program” means a provision of law authorizing a state agency to undertake activities that are to be accomplished in whole or in part through contracts with not-for-profit organizations.

11.

“Program appropriation” means any and all appropriations to an agency for a single program purpose or the same or similar program purposes. Provided, however, the term program appropriations shall not include an appropriation in the capital projects budget or an appropriation to be expended by a state agency under a construction contract to which the state agency is a party.

12.

“Scheduled commencement date” means the beginning date of the term of a contract as stated in the contract or in a written directive.

13.

“State agency” means any department, board, bureau, commission, division, office, council, institution or committee in the executive branch of government, the urban development corporation or the natural heritage trust to which an appropriation is made for the purposes of carrying out a program as defined herein.

14.

“Written directive” means a written request by a state agency to a not-for-profit organization authorizing such organization either to begin providing services during the negotiation of a contract or to continue providing services during the negotiation of a renewal contract. All written directives shall state that payment for the services provided is subject to the availability of appropriations, execution of either the contract or renewal contract, and approval of the contract or renewal contract by the comptroller and the attorney general.

Source: Section 179-Q — Definitions, <https://www.nysenate.gov/legislation/laws/STF/179-Q> (updated Sep. 22, 2014; accessed Apr. 19, 2025).

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Location: https://newyork.public.law/laws/n.y._state_finance_law_section_179-q

Original Source: Section 179-Q — Definitions, <https://www.nysenate.gov/legislation/laws/STF/179-Q> (last accessed Aug. 20, 2023).

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The legislature occasionally skips outline levels. For example:

(3) A person may apply [...]

(4)(a) A person petitioning for relief [...]

In this example, (3), (4), and (4)(a) are all outline levels, but (4) was omitted by its authors. It's only implied. This presents an interesting challenge when laying out the text. We've decided to display a blank section with this note, in order to aide readability.

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N.Y. State Finance Law Section 179-R

Program plan submission

1.

Each state agency receiving an appropriation of state or federal funds for any program shall produce and immediately thereafter submit a program plan to the division of the budget, the senate finance committee and the assembly ways and means committee. Such program plan shall be submitted not more than forty-five days following the latest date on which any of the appropriations covered by the program plan become law except as provided by [§ 179-X \(Federal funds\)](#).

2.

The division of the budget shall have not more than ninety days following the latest date on which any of the appropriations covered by the program plan become law to issue a certificate of approval for each item of appropriation included in the program plan. A copy of such certificate of approval shall be forwarded to the senate finance committee, the assembly ways and means committee and the office of the state comptroller.

Source: Section 179-R — Program plan submission, <https://www.nysenate.gov/legislation/laws/STF/179-R> (updated Sep. 22, 2014; accessed Apr. 19, 2025).

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Original Source: *Section 179-R — Program plan submission*, <https://www.nysenate.gov/legislation/laws/STF/179-R> (last accessed Aug. 20, 2023).

Blank Outline Levels



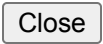
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N.Y. State Finance Law Section 179-S

Time frames for the implementation of new programs and the execution of new contracts

1.

A state agency shall have not more than one hundred fifty days following the latest date on which any of the appropriations covered by the program plan become law to execute contracts with not-for-profit organizations pursuant to the program plan. Upon execution of each contract by the state agency and the not-for-profit organization, the contract shall immediately be delivered to the attorney general for approval. The attorney general shall within fifteen days of receipt either approve such contract or disapprove and return the contract to the state agency with reasons therefor. Upon approval, the contract shall be delivered to the comptroller who shall within fifteen days of receipt either approve and file such contract or disapprove and return the contract to the state agency with his reasons therefor. [🔗](#)

2.

In those instances where an RFP is not the method of contracting identified in the program plan a state agency shall not have more than one hundred twenty days following the latest date on which any of the appropriations covered by the program plan become law to execute contracts with not-for-profit organizations pursuant to the program plan.

3.

Upon receipt of a contract disapproved by either the attorney general or comptroller a state agency shall immediately notify the affected not-for-profit organization and shall undertake, in conjunction with the not-for-profit organization, those actions necessary and appropriate, if any, to remedy any deficiencies in the contract.

Source: Section 179-S — Time frames for the implementation of new programs and the execution of new contracts, <https://www.nysenate.gov/legislation/laws/STF/179-S> (updated Sep. 22, 2014; accessed Apr. 19, 2025).

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Original Source: Section 179-S — Time frames for the implementation of new programs and the execution of new contracts, <https://www.nysenate.gov/legislation/laws/STF/179-S> (last accessed Aug. 20, 2023).

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5. § 179-T

N.Y. State Finance Law Section 179-T

Time frames for the execution of renewal contracts

1.

(a) A state agency administering a contract shall notify the not-for-profit organization by mail of the agency's preliminary intention, subject to enactment of an appropriation, to renew or terminate the contract no later than ninety days prior to the end of the contract or any periods specified therein that require further contract documents in order to continue payments under the contract or thirty days after an appropriation providing funding for continued payments shall become law, whichever is later. In the event an appropriation is not necessary to renew the contract, such notification shall be mailed no later than ninety days prior to the end of the current contract. In the event an appropriation is necessary and a state budget has been enacted on or before the beginning of the state fiscal year in which the contract is to be renewed or terminated, which provides sufficient funding to the state agency to enable it to renew the contract, such notification shall be mailed no later than ninety days prior to the end of the current contract. In the event a state budget has not been enacted by the beginning of the state fiscal year in which the contract is to be renewed or terminated, such notification shall be mailed the later of: [↗](#)

(i)

thirty days after the enactment of a state budget which provides sufficient funding to the state agency to enable it to renew the contract; or

(ii)

ninety days prior to the end of the contract or any period specified therein that require further contract documents in order to continue payments under the contract.

(b)

In the event that a state agency is unable to comply with the time frames set forth in paragraph (a) of this subdivision due to unusual circumstances beyond the control of the state, no payment of interest shall be due to the not-for-profit organization. Such state agency shall document the unusual circumstances which are the basis for its inability to comply in a written notice to the office of the state comptroller, division of the budget and the not-for-profit organization on or before the date set forth in this subdivision for renewal of the contract. For the purposes of this paragraph, “unusual circumstances” does not mean such state agency’s:

(i)

failure to plan for implementation of a program;

(ii)

failure to assign sufficient staff resources to implement a program;

(iii)

failure to establish a schedule for the implementation of a program; or

(iv)

failure to anticipate any other reasonably foreseeable circumstance.

(c)

Not more than twenty days after the receipt of such written notice, the comptroller shall determine whether unusual circumstances beyond the control of the state warrant the denial of interest. The comptroller shall thereupon inform such state agency, the division of the budget, and such not-for-profit organization of such determination. If such determination concludes that the circumstances do not warrant a denial of interest, such state agency shall then immediately submit for the comptroller’s approval a voucher requesting the payment of interest to such not-for-profit organization as required by [§ 179-V \(Interest payments\)](#).

2.

The notice required by subdivision one of this section shall be in the form of a letter or may be the renewal contract. If the agency does not intend to renew the contract, such notification shall be in writing with reasons provided therefor. If the agency does not intend to renew the contract and does not notify the not-for-profit organization as required, the contract is deemed to continue and shall remain in effect until such time as the agency notifies the not-for-profit organization in the manner set forth in this subdivision. Expenses incurred during the extension shall be reimbursable under the terms of the existing contract.

3.

Upon notifying a not-for-profit organization of its intent to renew a contract with such not-for-profit organization, the state agency shall negotiate a renewal contract and shall issue a written directive to the organization. The state agency shall take all necessary steps to insure that simplified contract documents are used to the maximum extent feasible.

4.

A state agency shall submit any renewal contract to the attorney general no later than sixty days prior to the commencement date of the succeeding contract for his approval and the attorney general shall within fifteen days either approve such renewal contract or disapprove and return the renewal contract to the state agency with his reasons therefor. Upon approval of the attorney general all renewal contracts shall be delivered to the comptroller. Provided, however, a state agency shall submit any renewal contract consisting of simplified contract documents directly to the comptroller no later than sixty days prior to the commencement date of the succeeding contract. The comptroller shall within fifteen days after receipt of a renewal contract either approve such contract or disapprove and return such contract to the state agency with his reasons therefor. Immediately upon receiving notice of approval of the renewal contract from the comptroller, the state agency shall mail notification of such approval to the not-for-profit organization.

5.

Any state agency in receipt of a renewal contract disapproved by the attorney general or comptroller shall immediately notify the affected not-for-profit organization and undertake, in conjunction with the organization, those actions necessary and appropriate, if any, to remedy any deficiencies in the contract.

Source: Section 179-T — Time frames for the execution of renewal contracts, <https://www.nysenate.gov/legislation/laws/STF/179-T> (updated Sep. 22, 2014; accessed Apr. 19, 2025).

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Original Source: Section 179-T — Time frames for the execution of renewal contracts, <https://www.nysenate.gov/legislation/laws/STF/179-T> (last accessed Aug. 20, 2023).

Blank Outline Levels



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N.Y. State Finance Law Section 179-U

Advance payments

1.

When a state agency administering a contract shall advise the not-for-profit organization of the agency's intention to renew the contract, the not-for-profit organization, may, upon receipt of a written directive, be entitled to an advance payment pending execution of the renewal contract if such contract is not fully executed by the commencement date of the succeeding contract; the written directive shall specifically set forth the dollar amount and the period of time covered by the advance payment. Such advance payment shall offset future payments due to the organization for services provided during the term of the prospective renewal contract and shall not exceed the maximum contract amount set forth in said renewal contract. [↗](#)

2.

A state agency providing an advance payment pursuant to subdivision one of this section shall submit a written directive, a voucher and such other documents as may be required to the comptroller for approval.

Source: Section 179-U — Advance payments, <https://www.nysenate.gov/legislation/laws/STF/179-U> (updated Sep. 22, 2014; accessed Apr. 19, 2025).

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5. [§ 179-V](#)

N.Y. State Finance Law Section 179-V

Interest payments

1.

A not-for-profit organization shall be entitled to interest payments pursuant to this section:

(a)

on those moneys that would be due under the terms of the contract or renewal contract from the scheduled commencement date or the date the organization begins to provide services, whichever is later, until the date the payment is made under the contract or renewal contract; or

(b)

if a not-for-profit organization borrows funds to provide services pursuant to a written directive by a state agency, provided however that a not-for-profit organization may only receive interest payments on such funds when such not-for-profit organization has received a written directive but has been denied payment pursuant to [§ 179-U \(Advance payments\)](#) or did not obtain a loan from the not-for-profit short-term revolving loan fund. [↗](#)

2.

Such organizations shall receive such interest payments at a rate equal to the rate set by the commissioner of taxation and finance for corporate taxes pursuant to paragraph one of subsection (e) of [Tax Law § 1096 \(General powers of tax commission\)](#). In order for a state agency to approve reimbursement of a not-for-profit organization at a rate other than the interest rate stated in this section the not-for-profit organization shall submit documentation indicating the rate at which such funds were borrowed, the lender of such funds and any other information requested by the state agency, attorney general or the comptroller. The comptroller may disallow such portions of the interest that the comptroller deems unreasonable.

3.

Any interest payments made pursuant to subdivisions one and two of this section shall be made from appropriations for state operations that are available for the administrative programs of the state agency which contracted with the not-for-profit organization. In no event shall interest payments be made from amounts appropriated for program purposes.

4.

The interest payment shall not reduce the amount of money that otherwise will be payable to the not-for-profit organization under the terms of the relevant contract.

5.

No interest payments shall be made if the not-for-profit organization receives an advance payment pursuant to [§ 179-U \(Advance payments\)](#); provided, however, that if the contract is not fully executed at the end of the period covered by such advance payment, the not-for-profit organization may be eligible for interest payments in respect of services performed after such period.

6.

Should the attorney general or the comptroller disapprove a contract or renewal contract, the provisions of this section shall not be applicable.

7.

a. If the timeframes for processing a contract are met and the state agency is liable for interest due to a retroactive contract start date, the state agency and the not-for-profit organization may mutually agree to waive any interest owed to the not-for-profit organization under the provisions of this article. Waiver of interest shall not be a prerequisite to execution of such contract. If interest is so waived, the state agency shall immediately provide the office of the state comptroller, division of the budget and the not-for-profit organization with the written waiver of interest agreement signed by the not-for-profit organization and documentation (i) showing that the applicable timeframes set forth in section one hundred seventy-nine-s or one hundred seventy-nine-t of this article have been met, and

(ii)

explaining the reason for a retroactive contract start date.

b.

Not more than twenty days after the receipt of such written waiver of interest agreement and required documentation, the comptroller shall determine whether the waiver of interest is warranted. The comptroller shall thereupon inform such state agency, the division of the budget, and such not-for-profit organization of such determination. If such determination concludes that a waiver of interest is unwarranted, such state agency shall then immediately submit for the comptroller's approval a voucher requesting the payment of interest to such not-for-profit organization as required by this section. If such voucher is not received within thirty days after the comptroller's determination, the comptroller shall assess the amount of unpaid interest in the manner prescribed by this section.

Source: Section 179-V — Interest payments, <https://www.nysenate.gov/legislation/laws/STF/179-V> (updated Sep. 22, 2014; accessed Apr. 19, 2025).

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5. [§ 179-W](#)

N.Y. State Finance Law Section 179-W

Notification and suspension

1.

Any determination or notification pursuant to the provisions of this article shall be in writing and shall immediately be provided to any directly affected not-for-profit organization, the chairman of the senate finance committee, the chairman of the assembly ways and means committee and the state comptroller who shall include such notification in the procurement record.

2.

In the event that a state agency, including the comptroller, division of budget, or the attorney general shall determine that extenuating circumstances exist which prevent such agency from complying with the time frames required by this article, such agency shall immediately provide written notification of such determination to any directly affected not-for-profit organization, the office of the state comptroller, the chairman of the senate finance committee and the chairman of the assembly ways and means committee. Such written notification shall include an explanation of the circumstances and shall state the specific amount of the time for which the specified provisions of this article relating to time frames shall be suspended. Except as provided in subdivision three of this section, no suspension shall be valid unless it shall state such specific amount of time, provided that the cumulative length of suspensions declared by any state agency pursuant to this section, except such subdivision three, when added together shall not be valid if declared for a period greater than four and one-half months in any fiscal year. [↗](#)

3.

Upon determining that significant and substantive differences exist between the state agency and the not-for-profit organization in the negotiation of a contract or renewal contract or when the state agency makes a determination that the not-for-profit organization is not negotiating in good faith, such agency may suspend the written directive and any subsequent interest payments or subsequent advance payments required to be provided pursuant to this article. Upon such suspension the state agency shall be required to provide the affected not-for-profit organization with written notification of such determination and the reasons therefor, and also to provide such notice to the comptroller, who shall include it in the procurement record.

Source: Section 179-W — Notification and suspension, <https://www.nysenate.gov/legislation/laws/STF/179-W> (updated Sep. 22, 2014; accessed Apr. 19, 2025).

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Location: https://newyork.public.law/laws/n.y._state_finance_law_section_179-w

Original Source: Section 179-W — Notification and suspension, <https://www.nysenate.gov/legislation/laws/STF/179-W> (last accessed Aug. 20, 2023).

Blank Outline Levels



The legislature occasionally skips outline levels. For example:

(3) A person may apply [...]

(4)(a) A person petitioning for relief [...]

In this example, **(3)**, **(4)**, and **(4)(a)** are all outline levels, but **(4)** was omitted by its authors. It's only implied. This presents an interesting challenge when laying out the text. We've decided to display a blank section with this note, in order to aide readability.

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N.Y. State Finance Law Section 179-X

Federal funds

The provisions of this article as they relate to federal funds shall only be applicable to the extent a state agency is in receipt of federal funds for a particular program; provided however, the provisions of this article shall be applicable to federal funds, including but not limited to funds such as petroleum overcharge moneys, only to the extent that any required federal or court review or approval process concerning the use of such funds has been completed, and no notification of disapproval has been received by a state agency. Any time frame contained within the provisions of this article shall run from the date of the notification to a state agency of receipt of federal funds, or the completion of any required federal or court review or approval process, whichever is applicable, provided however that a not-for-profit organization receiving federal funds to which such timeframes are applicable shall be entitled to interest payments pursuant to [§ 179-V \(Interest payments\)](#) or after one hundred twenty days following the state's receipt of federal funds for the program, whichever is later. [↗](#)

Source: Section 179-X — Federal funds, <https://www.nysenate.gov/legislation/laws/STF/179-X> (updated Sep. 22, 2014; accessed Apr. 19, 2025).

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Original Source: Section 179-X — Federal funds, <https://www.nysenate.gov/legislation/laws/STF/179-X> (last accessed Aug. 20, 2023).

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N.Y. State Finance Law Section 179-Y

Duties of the comptroller

1.

The state comptroller shall:

(a)

promulgate such rules and regulations as may be necessary to carry out the comptroller's responsibilities under this article including provisions for repayment; and

(b)

develop and implement a procedure for calculating the amount of interest, if any, due to any not-for-profit organization pursuant to the provisions of this article.

2.

Nothing contained in this section shall be deemed to preclude the comptroller from subsequently promulgating, developing, or amending rules and regulations or procedures pursuant to, and consistent with, this article.

Source: Section 179-Y — Duties of the comptroller, <https://www.nysenate.gov/legislation/laws/STF/179-Y> (updated Sep. 22, 2014; accessed Apr. 19, 2025).

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Location: `https://newyork.public.law/laws/n.y._state_finance_law_section_179-y`

Original Source: Section 179-Y — Duties of the comptroller, <https://www.nysenate.gov/legislation/laws/STF/179-Y> (last accessed Aug. 20, 2023).

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N.Y. State Finance Law Section 179-Z

Not-for-profit short-term revolving loans

1.

The state comptroller is authorized to provide loans from the not-for-profit short-term revolving loan fund established by [§ 97-JJ \(Industrial and utility service account\)](#) to any not-for-profit organization in receipt of a written directive from a state agency. The state comptroller may provide such a loan to a not-for-profit organization upon receipt of a written agreement providing reasonable assurances of repayment that is satisfactory to the comptroller. Such loan shall not bear interest and repayment of such loan may be prorated over the term of the expected or renewal contract, provided the term of the loan does not exceed one year. The amount of each such loan shall not exceed one-half of the first quarter payment of the subject contract.

2.

The state comptroller shall only make loans after finding that the not-for-profit organization has a written directive from a state agency and cannot provide or continue to provide services without a loan from the not-for-profit short-term revolving loan fund.

3.

The state comptroller shall promulgate rules and regulations within ninety days of the enactment date of this act for the operation of the not-for-profit short-term revolving loan fund which shall include, but not be limited to, the criteria to be used in determining not-for-profit organizations eligible for assistance; a procedure and any necessary information that not-for-profit organizations need to submit applications for a loan from the not-for-profit short-term revolving loan fund; a schedule for reviewing such applications, not to exceed thirty days, and notification to an applicant of approval or disapproval of such application for interim funding, and any other requirements deemed necessary by the state comptroller.

4.

Any not-for-profit organization receiving a loan from the not-for-profit short-term revolving loan fund shall be ineligible to receive interest from a state agency, notwithstanding the provisions of [§ 179-V \(Interest payments\)](#) and shall be ineligible to receive advance payments, notwithstanding [§ 179-U \(Advance payments\)](#).

Source: Section 179-Z — Not-for-profit short-term revolving loans, <https://www.nysenate.gov/legislation/laws/STF/179-Z> (updated Sep. 22, 2014; accessed Apr. 19, 2025).

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