

1530

2013-2014 Regular Sessions

I N   S E N A T E

(PREFILED)

January 9, 2013

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Introduced by Sens. FLANAGAN, DeFRANCISCO, LARKIN, MARTINS -- read twice  
and ordered printed, and when printed to be committed to the Committee  
on Commerce, Economic Development and Small Business

AN ACT to amend the economic development law, the public authorities law  
and the New York state urban development corporation act, in relation  
to providing a preference to small businesses and entrepreneurs in the  
award of state economic development assistance

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEM-  
BLY, DO ENACT AS FOLLOWS:

1     Section 1. The economic development law is amended by adding a new  
2     section 101-a to read as follows:  
3     S 101-A. PREFERENCES TO SMALL BUSINESSES AND ENTREPRENEURS. IN EACH  
4     PROGRAM ADMINISTERED BY OR ON BEHALF OF THE DEPARTMENT PURSUANT TO AN  
5     APPROPRIATION OF FUNDS, AND CONSISTENT WITH ANY STATUTE GOVERNING SUCH  
6     PROGRAM, PREFERENCE SHALL BE GIVEN TO THE AWARD OF SUCH FUNDS TO SMALL  
7     BUSINESSES AND ENTREPRENEURS. SUCH PREFERENCE SHALL INCLUDE, BUT NOT BE  
8     LIMITED TO, ACTIVE MARKETING OF THE PROGRAM SPECIFICALLY TO SMALL BUSI-  
9     NESSES AND ENTREPRENEURS, PROVIDING ASSISTANCE TO INDIVIDUAL SMALL BUSI-  
10    NESSES AND ENTREPRENEURS IN ACCESSING AVAILABLE FUNDS UNDER THE PROGRAM,  
11    AND ESTABLISHING AND WORKING TO MEET THE GOAL OF AWARDING TWENTY PERCENT  
12    OF AVAILABLE FUNDS UNDER THE PROGRAM TO SMALL BUSINESSES AND ENTREPRE-  
13    NEURS. FOR PURPOSES OF THIS SECTION, THE TERM "ENTREPRENEUR" SHALL MEAN  
14    A PERSON WHO ORGANIZES, OPERATES, AND ASSUMES THE RISK OF A START-UP  
15    BUSINESS VENTURE. THE DEPARTMENT SHALL INCLUDE IN THE ANNUAL REPORT  
16    REQUIRED PURSUANT TO SUBDIVISION THIRTY-SEVEN-A OF SECTION ONE HUNDRED  
17    OF THIS ARTICLE A DESCRIPTION OF ACTIVITIES, A LISTING OF PROPOSALS  
18    RECEIVING FINANCIAL ASSISTANCE PURSUANT TO THIS SECTION AND IDENTIFY  
19    WHETHER THE TWENTY PERCENT GOAL WAS MET FOR EACH PROGRAM.  
20    S 2. Section 1823 of the public authorities law is amended by adding a  
21    new subdivision 8 to read as follows:

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

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1 8. IN EACH PROGRAM ADMINISTERED BY OR ON BEHALF OF THE AUTHORITY, AND  
2 CONSISTENT WITH ANY STATUTE GOVERNING SUCH PROGRAM, PREFERENCE SHALL BE  
3 GIVEN TO THE AWARD OF SUCH FUNDS TO SMALL BUSINESSES AND ENTREPRENEURS.  
4 SUCH PREFERENCE SHALL INCLUDE, BUT NOT BE LIMITED TO, ACTIVE MARKETING  
5 OF THE PROGRAM SPECIFICALLY TO SMALL BUSINESSES AND ENTREPRENEURS,  
6 PROVIDING ASSISTANCE TO INDIVIDUAL SMALL BUSINESSES AND ENTREPRENEURS IN  
7 ACCESSING AVAILABLE FUNDS UNDER THE PROGRAM, AND ESTABLISHING AND WORK-  
8 ING TO MEET THE GOAL OF AWARDING TWENTY PERCENT OF AVAILABLE FUNDS UNDER  
9 THE PROGRAM TO SMALL BUSINESSES AND ENTREPRENEURS. FOR PURPOSES OF THIS  
10 SUBDIVISION, THE TERM "SMALL BUSINESS" SHALL HAVE THE SAME MEANING AS  
11 PROVIDED IN SECTION ONE HUNDRED THIRTY-ONE OF THE ECONOMIC DEVELOPMENT  
12 LAW AND THE TERM "ENTREPRENEUR" SHALL MEAN A PERSON OR PERSONS WHO  
13 ORGANIZES, OPERATES, AND ASSUMES THE RISK OF A START-UP BUSINESS  
14 VENTURE. THE AUTHORITY SHALL INCLUDE IN THE ANNUAL PROGRAM REPORT  
15 REQUIRED PURSUANT TO SECTION EIGHTEEN HUNDRED TWENTY-NINE-A OF THIS  
16 TITLE A DESCRIPTION OF ACTIVITIES, A LISTING OF PROPOSALS PROVIDED WITH  
17 FINANCIAL ASSISTANCE PURSUANT TO THIS SECTION AND IDENTIFY WHETHER THE  
18 TWENTY PERCENT GOAL WAS MET FOR EACH PROGRAM.

19 S 3. Section 1 of chapter 174 of the laws of 1968 constituting the New  
20 York state urban development corporation act is amended by adding a new  
21 section 4-a to read as follows:

22 S 4-A. PREFERENCES TO SMALL BUSINESSES AND ENTREPRENEURS. IN EACH  
23 PROGRAM ADMINISTERED BY OR ON BEHALF OF THE CORPORATION PURSUANT TO AN  
24 APPROPRIATION OF FUNDS, AND CONSISTENT WITH ANY STATUTE GOVERNING SUCH  
25 PROGRAM, PREFERENCE SHALL BE GIVEN TO THE AWARD OF SUCH FUNDS TO SMALL  
26 BUSINESSES AND ENTREPRENEURS. SUCH PREFERENCE SHALL INCLUDE, BUT NOT BE  
27 LIMITED TO, ACTIVE MARKETING OF THE PROGRAM SPECIFICALLY TO SMALL BUSI-  
28 NESSES AND ENTREPRENEURS, PROVIDING ASSISTANCE TO INDIVIDUAL SMALL BUSI-  
29 NESSES AND ENTREPRENEURS IN ACCESSING AVAILABLE FUNDS UNDER THE PROGRAM,  
30 AND ESTABLISHING AND WORKING TO MEET THE GOAL OF AWARDING TWENTY PERCENT  
31 OF AVAILABLE FUNDS UNDER THE PROGRAM TO SMALL BUSINESSES AND ENTREPRE-  
32 NEURS. FOR PURPOSES OF THIS SECTION, THE TERM "SMALL BUSINESS" SHALL  
33 HAVE THE SAME MEANING AS PROVIDED IN SECTION 131 OF THE ECONOMIC DEVEL-  
34 OPMENT LAW AND THE TERM "ENTREPRENEUR" SHALL MEAN A PERSON OR PERSONS  
35 WHO ORGANIZES, OPERATES, AND ASSUMES THE RISK OF A START-UP BUSINESS  
36 VENTURE. THE CORPORATION SHALL INCLUDE IN THE ANNUAL PROGRAM REPORT  
37 REQUIRED PURSUANT TO SECTION THIRTY OF THIS ACT A DESCRIPTION OF ACTIV-  
38 ITIES, A LISTING OF PROPOSALS PROVIDED WITH FINANCIAL ASSISTANCE PURSU-  
39 ANT TO THIS SECTION AND IDENTIFY WHETHER THE TWENTY PERCENT GOAL WAS MET  
40 FOR EACH PROGRAM.

41 S 4. This act shall take effect immediately.