

7627

I N S E N A T E

May 21, 2014

Introduced by Sen. O'BRIEN -- 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 and the state finance law, in relation to economic development grant recipients

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

1 Section 1. Subdivision 19 of section 100 of the economic development
2 law is amended by adding a new paragraph (c) to read as follows:
3 (C) TO ADOPT REGULATIONS IN ACCORDANCE WITH SECTION ELEVEN-A OF THE
4 STATE FINANCE LAW, TO ESTABLISH THE TERMS AND CONDITIONS OF REPAYMENT,
5 INCLUDING SPECIFYING THE CONDITIONS UNDER WHICH REPAYMENT MAY BE
6 DEFERRED, FOLLOWING A DETERMINATION BY THE COMMISSION OF A LEGITIMATE
7 HARDSHIP.
8 S 2. The state finance law is amended by adding a new section 11-a to
9 read as follows:
10 S 11-A. REQUIREMENTS FOR ECONOMIC DEVELOPMENT GRANT RECIPIENTS. ANY
11 PERSON OR BUSINESS ORGANIZATION WHO RECEIVES AN AWARD OR GRANT THROUGH
12 AN ECONOMIC DEVELOPMENT PROGRAM, WHERE SUCH AWARD OR GRANT ALSO REQUIRES
13 THE CREATION OF JOBS, SHALL NOT REDUCE THE NUMBER OF EMPLOYEES WHO WERE
14 EMPLOYED WITHIN THE STATE AT THE TIME SUCH PERSON OR BUSINESS ORGANIZA-
15 TION ACCEPTED THE FINANCIAL ASSISTANCE FOR FIVE YEARS AFTER RECEIVING
16 SUCH ASSISTANCE OR DURING THE TERM OF THE AWARD OR GRANT, WHICHEVER IS
17 LONGER, UNLESS THE FULL AMOUNT OF ASSISTANCE IS REPAYED TO THE STATE AND
18 A PENALTY EQUAL TO FIVE PERCENT OF THE TOTAL ASSISTANCE RECEIVED IS PAID
19 TO THE STATE. AS USED IN THIS SECTION, THE TERM "BUSINESS" SHALL INCLUDE
20 ANY DIVISION OF A BUSINESS OR SUBSIDIARY INSTITUTION CONTROLLED, DIRECT-
21 LY OR INDIRECTLY, BY ANOTHER INSTITUTION.
22 S 3. This act shall take effect immediately.

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

LBD14726-02-4