

2028

2015-2016 Regular Sessions

I N A S S E M B L Y

January 15, 2015

Introduced by M. of A. ROSENTHAL -- read once and referred to the
Committee on Governmental Operations

AN ACT to amend the state finance law, in relation to requiring that
bidders and all others seeking state contracts disclose their percent-
age and number of female executives and board members

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

1 Section 1. Legislative intent. The legislature finds that there is a
2 growing body of evidence that companies perform better when their boards
3 and executive leadership are strongly represented by women and that the
4 state has a vested interest in ensuring that companies receiving public
5 funds and contracts perform efficiently to maintain a high rate of
6 success. Further, the legislature finds that it is in the state's vest-
7 ed interest to encourage equitable and diverse gender representation on
8 corporate boards of companies receiving public funds and contracts. It
9 is the intent of this act to require companies who wish to do business
10 with the state to disclose the current percentage and number of women
11 executive officers employed by the company, percentage and number of
12 women on its corporate board, and the company's goals for the increased
13 participation of women in executive positions and on corporate boards.
14 S 2. The state finance law is amended by adding a new section 148 to
15 read as follows:

16 S 148. DISCLOSURE OF WOMEN EXECUTIVES AND BOARD MEMBERS BY STATE
17 CONTRACTORS. 1. ALL BID CONDITIONS, REQUESTS FOR PROPOSALS, AND OTHER
18 SPECIFICATIONS FOR CONTRACTS AWARDED BY THE STATE SHALL REQUIRE THAT
19 BIDDERS AND ALL OTHERS SEEKING STATE CONTRACTS SHALL:

20 (A) DISCLOSE THE CURRENT PERCENTAGE AND NUMBER OF WOMEN EXECUTIVE
21 OFFICERS IN THE COMPANY AND THE CURRENT PERCENTAGE AND NUMBER OF WOMEN
22 ON THE COMPANY'S EXECUTIVE AND FULL BOARDS;

23 (B) THE COMPANY'S ASPIRATIONAL GOALS FOR THE INCLUSION OF WOMEN IN
24 EXECUTIVE POSITIONS AND ON THE EXECUTIVE AND FULL BOARDS; AND

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

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1 (C) THE INTENDED EFFORTS BY THE CONTRACTOR TO ACHIEVE THE ASPIRATIONAL
2 GOALS.

3 2. EACH STATE AGENCY RECEIVING INFORMATION PURSUANT TO SUBDIVISION ONE
4 OF THIS SECTION SHALL BE RESPONSIBLE FOR ANNUALLY PROVIDING THE DEPART-
5 MENT OF ECONOMIC DEVELOPMENT WITH THE APPLICABLE COMPILED DIVERSITY
6 DATA.

7 3. THE DEPARTMENT OF ECONOMIC DEVELOPMENT SHALL AGGREGATE THE AGENCIES
8 DATA RECEIVED PURSUANT TO SUBDIVISIONS ONE AND TWO OF THIS SECTION AND
9 PRESENT AN ANNUAL REPORT TO THE GOVERNOR, THE TEMPORARY PRESIDENT OF THE
10 SENATE, THE SPEAKER OF THE ASSEMBLY, THE MINORITY LEADERS OF THE SENATE
11 AND THE ASSEMBLY, AND THE CHAIRPERSONS OF THE SENATE FINANCE AND ASSEM-
12 BLY WAYS AND MEANS COMMITTEES.

13 S 3. This act shall take effect immediately.