

STATE OF NEW YORK

6407--B

2021-2022 Regular Sessions

IN ASSEMBLY

March 17, 2021

Introduced by M. of A. DICKENS, ABINANTI, ASHBY, BARRON, BRONSON, COLTON, CRUZ, DINOWITZ, EPSTEIN, FAHY, ENGLEBRIGHT, FERNANDEZ, GOTTFRIED, GRIFFIN, MONTESANO, PAULIN, PERRY, RAMOS, RODRIGUEZ, SEAWRIGHT, SIMON, STERN, TAYLOR, TAGUE -- read once and referred to the Committee on Small Business -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- again reported from said committee with amendments, ordered reprinted as amended and recommitted to said committee

AN ACT establishing the minority- and women-owned business protection program

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. Legislative findings. a. The American Rescue Plan Act of
2 2021 is a \$1.9 trillion economic stimulus legislation package passed by
3 Congress and signed into law by President Joseph Biden on March 11,
4 2021.
5 b. Many local small businesses including minority- and women-owned
6 businesses (MWBEs) in our state did not receive any federal funding
7 under the federal Paycheck Protection Program (PPP).
8 c. As New York state is reopening regionally post COVID-19, many of
9 our MWBEs who did not receive any PPP funding are in desperate need of
10 funding to employ and/or pay staff, purchase inventory, and pay rent and
11 utilities.
12 § 2. Establishment. Notwithstanding any provision of law to the
13 contrary, the legislature shall authorize the MWBE development and lend-
14 ing program to establish the MWBE protection program to be funded in the
15 amount of 100 million dollars from the American Rescue Plan Act of 2021.
16 Funding for such program may also come from state appropriations. Funds
17 received from the American Rescue Plan Act of 2021 shall be used to
18 reimburse any monies appropriated by the state for the purposes
19 described under section four of this act.

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

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1 § 3. Eligibility. Entities shall be eligible for MWBE protection
2 program funds provided such entity has less than 100 employees per
3 location, was in existence in New York state by the first day the state
4 disaster emergency related to COVID-19 was declared by the governor, can
5 document actual economic harm or revenue shortfall as a direct result of
6 the pandemic, and has filed 2018, 2019 or 2020 tax returns.

7 § 4. Grants. The MWBE protection program shall provide the following
8 grants in an amount that shall equal 60% of the prior year eligible
9 expenses not to exceed \$100,000.00:

10 a. A rent reimbursement grant to reimburse qualifying entities for
11 rent paid during the COVID-19 pandemic, provided such entity has docu-
12 mentary proof of such paid rent. This rent reimbursement grant shall be
13 capped at 3 months of paid rent during the state of emergencies;

14 b. A grant to reimburse qualifying entities for perishable inventory
15 purchased before the COVID-19 state of disaster emergency that was
16 thrown out due to the forced shut down of such entity and/or to replace
17 food inventory to help such entity reopen; and

18 c. A grant for payroll or for the compensation of independent contrac-
19 tors who complete the federal tax form 1099; and

20 d. A grant for utilities.

21 § 5. Oversight. The state comptroller shall monitor the MWBE
22 protection program to ensure the provisions of this act are properly
23 executed. The state comptroller shall submit a report on such program to
24 the governor, the temporary president of the senate and the speaker of
25 the assembly, and shall post such on the comptroller's website on a
26 quarterly basis describing any grants provided under such program.

27 § 6. This act shall take effect immediately.