

STATE OF NEW YORK

1215

2021-2022 Regular Sessions

IN SENATE

January 8, 2021

Introduced by Sen. BENJAMIN -- read twice and ordered printed, and when printed to be committed to the Committee on Procurement and Contracts

AN ACT to amend the executive law and the labor law, in relation to assisting contractors to identify minority group members and women for hiring opportunities

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

1 Section 1. Paragraphs (h), (i) and (j) of subdivision 3 of section 311
2 of the executive law, paragraph (h) as amended by section 1 of part BB
3 of chapter 59 of the laws of 2006, paragraphs (i) and (j) as amended by
4 chapter 96 of the laws of 2019, are amended and a new paragraph (k) is
5 added to read as follows:

6 (h) notwithstanding the provisions of section two hundred ninety-six
7 of this chapter, to file a complaint pursuant to the provisions of
8 section two hundred ninety-seven of this chapter where the director has
9 knowledge that a contractor may have violated the provisions of para-
10 graph (a), (b) or (c) of subdivision one of section two hundred ninety-
11 six of this chapter where such violation is unrelated, separate or
12 distinct from the state contract as expressed by its terms; ~~and~~

13 (i) to streamline the state certification process to accept federal
14 and municipal corporation certifications;

15 (j) to make publicly available records of all waivers of compliance
16 reported pursuant to paragraph (b) of subdivision six of section three
17 hundred thirteen of this article on the division's website~~[-]~~; and

18 (k) to work in conjunction with the industrial commissioner pursuant
19 to paragraph (j) of subdivision one of section eight hundred eleven of
20 the labor law to assist contractors in identifying minority group
21 members and women who are participating in apprenticeship agreements
22 under article twenty-three of the labor law.

23 § 2. Paragraphs (j) and (k) of subdivision 1 of section 811 of the
24 labor law, as relettered by chapter 884 of the laws of 1965, are relet-

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

LBD04920-01-1

1 tered paragraphs (k) and (l) and a new paragraph (j) is added to read as
2 follows:

3 (j) to cooperate with the director of the division of minority and
4 women's business development pursuant to paragraph (k) of subdivision
5 three of section three hundred eleven of the executive law to assist
6 contractors in locating minority group members and women who are partic-
7 ipating in apprenticeships agreements;

8 § 3. This act shall take effect on the sixtieth day after it shall
9 have become a law; provided, however that the amendments to article 15-A
10 of the executive law made by section one of this act shall not affect
11 the expiration of such article and shall be deemed to expire therewith.
12 Effective immediately, the addition, amendment and/or repeal of any rule
13 or regulation necessary for the implementation of this act on its effec-
14 tive date are authorized to be made and completed on or before such
15 effective date.