

# STATE OF NEW YORK

6642

2021-2022 Regular Sessions

## IN SENATE

May 11, 2021

Introduced by Sen. KAPLAN -- 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 executive law, in relation to a report by the division for small business; and to amend chapter 731 of the laws of 2019 amending the executive law relating to regulatory fines for small businesses, in relation to the effectiveness thereof

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

1 Section 1. Section 170-c of the executive law is amended by adding a  
2 new subdivision 4 to read as follows:

3 4. Every state agency shall provide to the division for small busi-  
4 ness, created pursuant to section one hundred thirty-two of the economic  
5 development law, the following information covering the previous calen-  
6 dar year, annually by March first following the effective date of this  
7 subdivision, and every March first thereafter: (a) how many cure peri-  
8 ods or other opportunities for ameliorative action were offered pursuant  
9 to subdivision one of this section and how many small businesses made  
10 use of such options, (b) how many cure periods and other opportunities  
11 for ameliorative action were successfully completed and resulted in the  
12 avoidance of a penalty, (c) what guidance, information, and assistance  
13 with compliance was provided to small businesses pursuant to subdivision  
14 one of this section, and (d) the average length of time granted by the  
15 state agency to correct first time violations. The division for small  
16 business shall by May first following the effective date of this subdi-  
17 vision, and every May first thereafter, prepare a report compiling this  
18 information, by agency, and shall post this report on its website and  
19 shall send a copy of such report to the speaker of the assembly and the  
20 temporary president of the senate.

21 § 2. Section 2 of chapter 731 of the laws of 2019 amending the execu-  
22 tive law relating to regulatory fines for small businesses, as amended

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

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1 by section 2 of subpart B of part XX of chapter 55 of the laws of 2020,  
2 is amended to read as follows:

3 § 2. This act shall take effect immediately and shall expire and be  
4 deemed repealed [~~two years after such date~~] December 20, 2024.

5 § 3. This act shall take effect immediately; provided, however, that  
6 section one of this act shall take effect one year after it shall have  
7 become a law provided, however, that the amendments to section 170-c of  
8 the executive law as made by section one of this act shall not affect  
9 the expiration of such section and shall be deemed to expire therewith.