S T A T E O F N E W Y O R K

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I N A S S E M B L Y

March 29, 2010

Introduced by M. of A. ESPAILLAT, CAHILL, REILICH, CASTRO, MILLMAN, SCHIMMINGER, KOON, COLTON, SKARTADOS, D. WEPRIN, SCHROEDER, MENG, BOYLAND, CROUCH, McDONOUGH -- Multi-Sponsored by -- M. of A. ABBATE, BARRON, BURLING, CORWIN, CRESPO, DelMONTE, DESTITO, GIBSON, GLICK, MARKEY, McENENY, McKEVITT, PEOPLES-STOKES, PHEFFER, QUINN, ROBINSON, SCARBOROUGH, SWEENEY, TEDISCO -- read once and referred to the Committee on Small Business

AN ACT to amend the economic development law, in relation to creating the micro business outreach center assistance program

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

Section 1. The economic development law is amended by adding a new article 9-B to read as follows:

ARTICLE 9-B

MICRO BUSINESS OUTREACH CENTER ASSISTANCE PROGRAM

SECTION 216. DEFINITIONS.
217. MICRO BUSINESS OUTREACH CENTERS.
218. MICRO BUSINESS OUTREACH CENTER NETWORK.
219. REPORTING REQUIREMENT.

S 216. DEFINITIONS. FOR THE PURPOSES OF THIS ARTICLE THE FOLLOWING TERMS SHALL HAVE THE FOLLOWING MEANINGS:

1. "MICRO BUSINESS" SHALL MEAN A SOLE PROPRIETORSHIP, PARTNERSHIP OR FAMILY BUSINESS THAT HAS FEWER THAN FIVE EMPLOYEES.

2. "MICRO BUSINESS OUTREACH CENTERS" SHALL MEAN A BUSINESS OUTREACH CENTER THAT SERVES THE BUSINESS DEVELOPMENT NEEDS OF SPECIFIC COMMUNITIES.

3. "MICRO BUSINESS OUTREACH CENTER NETWORK" SHALL MEAN A NETWORK OF BUSINESS OUTREACH CENTERS THAT PROVIDES SERVICES THROUGHOUT A REGION AND HELPS DEVELOP AND ASSIST INDIVIDUAL MICRO-ENTERPRISE/SMALL BUSINESS DEVELOPMENT ORGANIZATIONS IN THE DELIVERY OF CUSTOMIZED BUSINESS SERVICES TO ENTREPRENEURS, AS WELL AS CAPACITY-BUILDING SERVICES TO ORGANIZATIONS ESTABLISHING AND OPERATING COMMUNITY AND MICRO-ENTERPRISE DEVELOPMENT PROGRAMS.

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

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S 217. MICRO BUSINESS OUTREACH CENTERS. 1. THERE IS HEREBY ESTABLISHED WITHIN THE DEPARTMENT A MICRO BUSINESS OUTREACH CENTER ASSISTANCE PROGRAM. THE DEPARTMENT IS AUTHORIZED, WITHIN AMOUNTS APPROPRIATED, TO PROVIDE DIRECT TECHNICAL AND FINANCIAL ASSISTANCE TO THE MICRO BUSINESS OUTREACH CENTER NETWORK, A NOT-FOR-PROFIT CORPORATION, FOR THE FOLLOWING ACTIVITIES:

(A) TO ASSIST THE MICRO BUSINESS OUTREACH CENTER IN SETTING UP, OR TO ASSIST THE CENTER IN HELPING LOCAL SPONSOR ORGANIZATIONS AND/OR NEW ORGANIZATIONS TO SET UP ADDITIONAL MICRO BUSINESS OUTREACH CENTERS, IN GEOGRAPHIC AREAS OF THE STATE THAT ARE WIDELY-SEPARATED FROM EACH OTHER BUT ARE IN NEED OF, AND WOULD LIKELY BENEFIT FROM, THE ESTABLISHMENT OF SUCH CENTER;

(B) TO ASSIST THE MICRO BUSINESS OUTREACH CENTER IN PROVIDING AID FOR THE OPERATION AND MAINTENANCE OF THE ADDITIONAL MICRO BUSINESS OUTREACH CENTERS SO CREATED AS WELL AS FOR THE OPERATION AND MAINTENANCE OF ITS PRESENTLY EXISTING AFFILIATED MICRO BUSINESS OUTREACH CENTERS; AND

(C) TO ASSIST THE MICRO BUSINESS OUTREACH CENTER TO EXPAND THE CENTER'S COORDINATION OF NETWORKING AND TECHNICAL ASSISTANCE ACTIVITIES AMONG ALL MICRO BUSINESS OUTREACH CENTERS.

2. THE DEPARTMENT SHALL PROVIDE MONIES, WITHIN AVAILABLE APPROPRIATIONS, IN RESPONSE TO A COMMUNITY NEED FOR THE MICRO BUSINESS OUTREACH CENTERS NETWORK. THE DEPARTMENT SHALL ESTABLISH CRITERIA FOR SELECTION AND DESIGNATION OF SUCH MICRO BUSINESS OUTREACH CENTERS WHICH SHALL INCLUDE BUT NOT BE LIMITED TO:

(A) COMMUNITIES THAT ARE GEOGRAPHICALLY AND/OR SOCIALLY ISOLATED FROM THE MAINSTREAM ECONOMY;

(B) A COORDINATED NETWORK OF CLIENT INFORMATION SYSTEMS, REGIONAL LINKAGES, AND OPERATIONAL GUIDELINES;

(C) A MODEL THAT MAXIMIZES THE EFFICIENT USE OF SCARCE EXISTING ECONOMIC DEVELOPMENT RESOURCES, ADDRESSES THE RECOGNIZED NEED FOR PRE-LOAN AND POST LOAN TECHNICAL ASSISTANCE FOR GROWING SMALL BUSINESS;

(D) FACILITATING ACCESS TO THE COMPLEX INFRASTRUCTURE OF ECONOMIC DEVELOPMENT PROGRAMS AND SMALL BUSINESS SERVICES, CONNECTING SMALL BUSINESS TO NEEDED INFORMATION AND CAPITAL TECHNICAL ASSISTANCE.

3. ASSISTANCE, SERVICES AND DATA AS WILL ENABLE THE DEPARTMENT TO PROPERLY CARRY OUT ITS FUNCTIONS, POWERS, AND DUTIES UNDER THIS ARTICLE SHALL BE PROVIDED BY THE COMMISSIONER AND TO ACCOMPLISH THE SAME, THE COMMISSIONER MAY REQUEST THE ASSISTANCE OF OTHER AGENCIES AND PUBLIC CORPORATIONS AND DISTRICTS.

S 218. MICRO BUSINESS OUTREACH CENTER NETWORK. 1. THERE IS HEREBY ESTABLISHED WITHIN THE DEPARTMENT A MICRO BUSINESS OUTREACH CENTER NETWORK. THE DEPARTMENT IS AUTHORIZED WITHIN AMOUNTS APPROPRIATED TO PROVIDE DIRECT TECHNICAL AND FINANCIAL ASSISTANCE TO THE MICRO BUSINESS OUTREACH CENTER NETWORK, A NOT-FOR-PROFIT CORPORATION, FOR THE FOLLOWING ACTIVITIES:

(A) TO ASSIST THE MICRO BUSINESS OUTREACH CENTER NETWORK IN SETTING UP, OR TO ASSIST THE CENTER IN HELPING LOCAL SPONSOR ORGANIZATIONS AND/OR NEW ORGANIZATIONS TO SET UP ADDITIONAL MICRO BUSINESS OUTREACH CENTERS, IN GEOGRAPHIC AREAS OF THE STATE THAT ARE WIDELY-SEPARATED FROM EACH OTHER BUT ARE IN NEED OF, AND WOULD LIKELY BENEFIT FROM, THE ESTABLISHMENT OF SUCH CENTER;

(B) TO ASSIST THE MICRO BUSINESS OUTREACH CENTER NETWORK IN PROVIDING AID FOR THE OPERATION AND MAINTENANCE OF THE ADDITIONAL MICRO BUSINESS OUTREACH CENTERS SO CREATED AS WELL AS FOR THE OPERATION AND MAINTENANCE OF ITS PRESENTLY EXISTING AFFILIATED MICRO BUSINESS OUTREACH CENTERS; AND

(C) TO ASSIST THE MICRO BUSINESS OUTREACH CENTER NETWORK TO EXPAND THE CENTER'S COORDINATION OF NETWORKING AND TECHNICAL ASSISTANCE ACTIVITIES AMONG ALL MICRO BUSINESS OUTREACH CENTERS.

2. THE DEPARTMENT SHALL PROVIDE MONIES, WITHIN AVAILABLE APPROPRIATIONS, IN RESPONSE TO A COMMUNITY NEED FOR THE MICRO BUSINESS OUTREACH CENTERS NETWORK. THE DEPARTMENT SHALL ESTABLISH CRITERIA FOR SELECTION AND DESTINATION OF SUCH MICRO BUSINESS OUTREACH CENTERS WHICH SHALL INCLUDE BUT NOT BE LIMITED TO:

(A) COMMUNITIES THAT ARE GEOGRAPHICALLY AND/OR SOCIALLY ISOLATED FROM THE MAINSTREAM ECONOMY;

(B) A COORDINATED NETWORK OF CLIENT INFORMATION SYSTEMS, REGIONAL LINKAGES, AND OPERATIONAL GUIDELINES;

(C) A MODEL THAT MAXIMIZES THE EFFICIENT USE OF SCARCE EXISTING ECONOMIC DEVELOPMENT RESOURCES, ADDRESSES THE RECOGNIZED NEED FOR PRE-LOAN AND POST LOAN TECHNICAL ASSISTANCE FOR GROWING SMALL BUSINESS;

(D) FACILITATING ACCESS TO THE COMPLEX INFRASTRUCTURE OF ECONOMIC DEVELOPMENT PROGRAMS AND SMALL BUSINESS SERVICES, CONNECTING SMALL BUSINESS TO NEEDED INFORMATION AND CAPITAL TECHNICAL ASSISTANCE.

3. ASSISTANCE, SERVICES AND DATA AS WILL ENABLE THE DEPARTMENT TO PROPERLY CARRY OUT ITS FUNCTIONS, POWERS, AND DUTIES UNDER THIS ARTICLE SHALL BE PROVIDED BY THE COMMISSIONER AND TO ACCOMPLISH THE SAME, THE COMMISSIONER MAY REQUEST THE ASSISTANCE OF OTHER AGENCIES AND PUBLIC CORPORATIONS AND DISTRICTS.

S 219. REPORTING REQUIREMENT. THE DEPARTMENT SHALL MONITOR THE EFFECTIVENESS OF THE DIRECT TECHNICAL AND FINANCIAL ASSISTANCE IT PROVIDES TO THE MICRO BUSINESS OUTREACH CENTER NETWORK, INCORPORATED, IN ORDER TO DETERMINE AND REPORT TO WHAT EXTENT THE GOALS SPECIFIED IN THIS SECTION HAVE BEEN ACHIEVED. THE COMMISSIONER SHALL MAKE AND FILE AN ANNUAL REPORT TO THE GOVERNOR, TEMPORARY PRESIDENT OF THE SENATE AND SPEAKER OF THE ASSEMBLY WITHIN THIRTY DAYS FOLLOWING THE CLOSE OF THE STATE'S FISCAL YEAR CONTAINING THE RESULTS OF SUCH MONITORING PURSUANT TO THIS SECTION. SUCH ANNUAL REPORT SHALL CONTAIN RECOMMENDATIONS FOR FURTHER LEGISLATION TO IMPLEMENT THE PURPOSES OF THIS ARTICLE IF IN THE JUDGMENT OF THE COMMISSIONER NEW LEGISLATION TO FURTHER EFFECTUATE THE PURPOSES OF THIS ARTICLE IS WARRANTED.

S 2. This act shall take effect on the one hundred eightieth day after it shall have become a law.