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

8417--A

2009-2010 Regular Sessions

I N A S S E M B L Y

May 19, 2009

Introduced by M. of A. P. RIVERA -- read once and referred to the Committee on Small Business -- recommitted to the Committee on Small Business in accordance with Assembly Rule 3, sec. 2 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the economic development law, in relation to directing the division for small-business to examine and report upon new financial products that can be offered to small businesses

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

Section 1. Subdivisions 7, 8, 9, 10 and 11 of section 134 of the economic development law, subdivision 7 as added by chapter 547 of the laws of 1976, subdivision 8 as amended and subdivision 11 as added by chapter 361 of the laws of 2009, subdivision 9 as amended by chapter 490 of the laws of 1993 and subdivision 10 as added by chapter 543 of the laws of 2002, are amended and a new subdivision 12 is added to read as follows:

7. review pending legislation affecting small-businesses and report its findings to the commissioner; [and]

8. initiate and encourage small-business education programs in general and to coordinate with the functions of the office of general services an information and outreach program directed toward informing small-businesses in the state of procedures necessary for competing for state purchases and to coordinate with the functions of every state agency, department or authority described in section one hundred thirty-nine-g of the state finance law, pursuant to subdivision (b) of section one hundred thirty-nine-g of the state finance law, an information and outreach program directed toward informing small-businesses in the state of procedures necessary for competing for state contracts, including without limitation educating small contractors about surety bonding requirements on state contracts, and identifying resources available to such contractors in obtaining their first bond and in increasing their bonding capacity, including but not limited to the federal small business administration bond guarantee program[.];

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

LBD10534-03-0

9. the commissioner and the commissioners of agriculture and markets and the office of general services shall initiate and encourage small-business education programs and coordinate with the functions of the office of general services, pursuant to subdivision [(b)] SIX of section one hundred [sixty-one-b] SIXTY-THREE of the state finance law, an information and outreach program directed toward informing eligible businesses in the state of procedures necessary for competing for purchases of food products pursuant to SUBDIVISION FOUR OF section one hundred [seventy-four-a] SIXTY-FIVE of the state finance law and subdivision eight-a of section one hundred three of the general municipal law, and to coordinate with the functions of every state agency or department described in subdivision (b) of section one hundred thirty-nine-g of the state finance law, an information and outreach program directed toward informing eligible businesses in the state of procedures necessary for competing for contracts for the purchase of food products pursuant to SUBDIVISION FOUR OF section one hundred [seventy-four-a] SIXTY-FIVE of the state finance law and subdivision eight-a of section one hundred three of the general municipal law[.];

10. conduct a survey of all business incubators in the state and assess the need for additional incubator facilities to nurture the growth and development of small businesses[.];

11. provide assistance to small business in the state, and facilitate access to programs serving small business, to ensure that such businesses benefit, as needed, from technical, managerial, financial, and general business assistance; training; marketing; organization and personnel skill development; project management assistance; technology assistance; bond and insurance education assistance; and other business development assistance. In addition, either independently or in conjunction with other state agencies:

(a) develop a clearinghouse of information on programs and services provided by entities that may assist such businesses; and

(b) seek to maximize utilization by small businesses of available federal resources including but not limited to federal grants, loans, loan guarantees, surety bonding guarantees, technical assistance, and programs and services of the federal small business administration[.]; AND

12. STUDY, EVALUATE AND EXAMINE THE MEANS AND METHODOLOGY OF ESTABLISHING NEW FINANCIAL PRODUCTS WHICH CAN BE DERIVED THROUGH THE INNOVATIVE USE OF EXISTING STATE RESOURCES. SUCH EVALUATION SHALL INCLUDE, BUT NOT BE LIMITED TO, AN EXAMINATION OF THE AGGREGATION AND SALE OF LOAN GUARANTEES UNDER THE VARIOUS STATE LOANS AND GRANT PROGRAMS FOR SMALL BUSINESSES IN EMERGING DOMESTIC MARKETS. THE DIVISION SHALL SEEK ADVICE, COUNSEL AND ASSISTANCE FROM THE FOUNDATION, NOT-FOR-PROFIT, FINANCE AND INVESTMENT COMMUNITIES IN ITS DUTIES PURSUANT TO THIS SUBDIVISION FOR THE PURPOSE OF ENHANCING MARKET ACCEPTANCE OF ANY FINANCIAL PRODUCTS ESTABLISHED PURSUANT TO THIS SUBDIVISION. ANNUALLY, ON OR BEFORE FEBRUARY FIRST, THE DIVISION SHALL REPORT ITS FINDINGS AND ANY RECOMMENDATIONS TO THE GOVERNOR AND THE LEGISLATURE. FOR THE PURPOSES OF THIS SUBDIVISION, "EMERGING DOMESTIC MARKET" MEANS PEOPLE, PLACES OR BUSINESS ENTERPRISES WITH GROWTH POTENTIAL THAT ENCOUNTER CAPITAL CONSTRAINTS DUE TO SYSTEMIC UNDERVALUATION RESULTING FROM IMPERFECT MARKET INFORMATION. THESE MARKETS INCLUDE ETHNIC- AND WOMEN-OWNED FIRMS, URBAN AND RURAL COMMUNITIES, COMPANIES THAT SERVE LOW-TO-MODERATE-INCOME POPULATIONS AND OTHER SMALL- AND MEDIUM-SIZED BUSINESSES.

S 2. This act shall take effect immediately.