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

6095

I N S E N A T E

(PREFILED)

January 4, 2012

Introduced by Sen. GOLDEN -- read twice and ordered printed, and when printed to be committed to the Committee on Finance

AN ACT to amend the executive law, the mental hygiene law and the economic development law, in relation to providing alternatives to sheltered workshops for employment of people with disabilities using social entrepreneurial business models, and providing for the statewide replication of the successful self-employment model of "Inclusive Entrepreneurship" developed through StartUP NY as authorized by the United States department of labor office of disability employment policy

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

Section 1. Paragraph (1) of subdivision 1 of section 703 of the executive law, as added by chapter 551 of the laws of 2002, is amended and a new paragraph (m) is added to read as follows:

(l) an examination of how the overall system of health and long term care can best be managed so that placement in the most integrated setting becomes the norm[.]; AND

(M) AN EXAMINATION OF PROGRAMS AND METHODS NEEDED TO EFFECTIVELY DEPLOY STATE AND COMMUNITY RESOURCES TO HELP INDIVIDUALS WITH DISABILITIES, INCLUDING THOSE WHO ARE CURRENTLY IN SHELTERED WORK, OBTAIN COMPETITIVE JOBS OR BECOME SELF-EMPLOYED VIA AN INCLUSIVE ENTREPRENEURSHIP MODEL OF INTEGRATED SKILLS TRAINING, ASSESSMENT, AND ACCESS TO NECESSARY CAPITAL, EMPLOYMENT, PROFESSIONAL, AND OTHER BUSINESS DEVELOPMENT RESOURCES.

S 2. Section 41.39 of the mental hygiene law is amended by adding a new subdivision (c) to read as follows:

(C) THE COMMISSIONER OF THE OFFICE FOR PEOPLE WITH DEVELOPMENTAL DISABILITIES, IN COOPERATION WITH THE COMMISSIONER OF THE OFFICE OF MENTAL HEALTH AND THE SECRETARY OF STATE SHALL DEVELOP AND IMPLEMENT A PILOT PROJECT UNDER WHICH SHELTERED WORKSHOPS AND INTEGRATED EMPLOYMENT OPPORTUNITIES, INCLUDING SUPPORTED EMPLOYMENT, MAY DEVELOP OPPORTUNITIES FOR ADDITIONAL WORK OR INCLUSIVE ENTREPRENEURSHIP FOR INDIVIDUALS THEY SERVE

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

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BY TRANSITIONING TO, OR DEVELOPING COLLABORATIONS WITH, BUSINESS ENTITIES REGISTERED IN THIS STATE OR IN OTHER STATES, INCLUDING LOW-PROFIT LIMITED LIABILITY COMPANIES, NOT-FOR-PROFIT LIMITED LIABILITY COMPANIES, BENEFIT CORPORATIONS AS DEFINED IN THE BUSINESS CORPORATION LAW, AND OTHERS AS THE SECRETARY OF STATE SHALL DETERMINE. THE PURPOSE OF THE PILOT PROGRAM SHALL BE TO EXPLORE THE DEVELOPMENT OF MORE COMPETITIVE, ENTREPRENEURIAL MODELS THAT CAN ACHIEVE BOTH SOCIAL PURPOSE AND REHABILITATIVE GOALS AND WHICH CAN SUCCESSFULLY OPERATE AS BUSINESSES IN THE MARKETPLACE AND PAY COMPETITIVE WAGES. IN DEVELOPING AND IMPLEMENTING THE PILOT PROGRAM THE COMMISSIONERS MAY APPOINT AN ADVISORY COMMITTEE OF NOT MORE THAN FIFTEEN INDIVIDUALS SKILLED IN ENTREPRENEURSHIP, ENTITY FORMATION, AND THE NEEDS OF INDIVIDUALS WITH MENTAL DISABILITIES. MEMBERS OF SUCH ADVISORY COMMITTEE SHALL NOT BE PAID FOR THEIR SERVICE, BUT MAY BE REIMBURSED FOR EXPENSES DIRECTLY RELATED TO SERVICE TO SUCH ADVISORY COMMITTEE.

S 3. Paragraph (a) of subdivision 2 of section 212 of the economic development law, as amended by chapter 301 of the laws of 1996, is amended to read as follows:

(a) require that each support center program provide at least sixty hours of classroom instruction and at least thirty hours of one-to-one counseling for each participant and that each program be supplemented by ongoing technical assistance for business development for those who have completed the program, AND, FOR PERSONS WITH DISABILITIES, IMPLEMENTATION OF THE SELF-EMPLOYMENT MODEL OF "INCLUSIVE ENTREPRENEURSHIP";

S 4. This act shall take effect immediately; provided, however that sections one and two of this act shall take effect on the one hundred twentieth day after it shall have become a law; and provided further that section three of this act shall apply to corresponding programs awarded granted or contracts for state fiscal years beginning on or after April 1, 2012.