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I N   S E N A T E

May 2, 2012

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Introduced by Sen. GALLIVAN -- read twice and ordered printed, and when printed to be committed to the Committee on Corporations, Authorities and Commissions

AN ACT to amend the New York state urban development corporation act, in relation to creating the small business innovation research/small business technology transfer technical assistance program

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

1     Section 1. Section 1 of chapter 174 of the laws of 1968, constituting  
2     the New York state urban development corporation act, is amended by  
3     adding a new section 46 to read as follows:  
4     S 46. SMALL BUSINESS INNOVATION RESEARCH (SBIR)/SMALL BUSINESS TECH-  
5     NOLOGY TRANSFER (STTR) TECHNICAL ASSISTANCE PROGRAM. 1. THE SMALL BUSI-  
6     NESS INNOVATION RESEARCH/SMALL BUSINESS TECHNOLOGY TRANSFER TECHNICAL  
7     ASSISTANCE PROGRAM, HEREAFTER REFERRED TO AS "THE PROGRAM", IS HEREBY  
8     CREATED IN THE CORPORATION FOR THE PURPOSES OF PROVIDING FUNDS TO ELIGI-  
9     BLE ENTITIES TO PROVIDE TECHNICAL ASSISTANCE TO SMALL BUSINESSES OF ONE  
10    HUNDRED EMPLOYEES OR LESS AND LOCATED IN NEW YORK STATE IN COMPETING  
11    SUCCESSFULLY FOR GRANTS MADE AVAILABLE THROUGH PHASE I OF THE FEDERAL  
12    SMALL BUSINESS INNOVATION RESEARCH PROGRAM AS ENACTED PURSUANT TO THE  
13    SMALL BUSINESS INNOVATION DEVELOPMENT ACT OF 1982, AND THE SMALL BUSI-  
14    NESS TECHNOLOGY TRANSFER ACT OF 1982, SO AS TO INCREASE THE NUMBER OF  
15    PHASE I SBIR AND STTR AWARD WINNERS WITHIN THE STATE.  
16    2. TECHNICAL ASSISTANCE SERVICES UNDER THIS SECTION MAY INCLUDE, BUT  
17    ARE NOT LIMITED TO:  
18    (A) OUTREACH TO SMALL BUSINESSES TO PROMOTE AWARENESS OF SBIR/STTR  
19    PROGRAM SOLICITATIONS;  
20    (B) COUNSELING TO DETERMINE THE ABILITY OF A BUSINESS TO PURSUE  
21    SBIR/STTR PHASE I FUNDING, THE TECHNOLOGY MATCH WITH THE FEDERAL AGENCY  
22    SOLICITATION TO BE PURSUED, THE QUALIFICATIONS OF PERSONNEL INVOLVED IN  
23    THE PROPOSED PROJECT, AND THE LEVEL OF SUPPORT NEEDED FROM THE TECHNICAL  
24    ASSISTANCE PROGRAM TO PRODUCE A COMPETITIVE APPLICATION; AND  
25    (C) PROPOSAL PREPARATION ASSISTANCE INCLUDING GRANT WRITING, TECHNOLO-  
26    GY EVALUATION, AND GENERAL PROPOSAL EVALUATION.

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

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1 3. IN DETERMINING WHETHER TO PROVIDE TECHNICAL ASSISTANCE AUTHORIZED  
2 PURSUANT TO THIS SECTION TO A SMALL BUSINESS, ELIGIBLE ENTITIES SHALL  
3 CONSIDER THE PROBABILITY OF SUCH BUSINESS COMMERCIALIZING ANY INNO-  
4 VATIONS RESULTING FROM RESEARCH FUNDED BY AN SBIR OR STTR AWARD IN NEW  
5 YORK STATE.

6 4. ELIGIBLE ENTITIES. (A) ENTITIES THAT ARE ELIGIBLE TO RECEIVE FUNDS  
7 UNDER THIS SECTION SHALL HAVE DEMONSTRABLE EXPERIENCE AND SUCCESS IN  
8 PROVIDING TECHNICAL ASSISTANCE AUTHORIZED PURSUANT TO THIS SECTION, AND  
9 AS DETERMINED BY THE CORPORATION, AND SHALL INCLUDE:

10 (I) CENTERS FOR ADVANCED TECHNOLOGY ESTABLISHED PURSUANT TO SECTION  
11 THIRTY-ONE HUNDRED TWO-B OF THE PUBLIC AUTHORITIES LAW;

12 (II) TECHNOLOGY DEVELOPMENT CORPORATIONS ESTABLISHED PURSUANT TO  
13 SECTION THIRTY-ONE HUNDRED TWO-D OF THE PUBLIC AUTHORITIES LAW;

14 (III) STATE UNIVERSITY OF NEW YORK ENGINEERING SCHOOLS THAT ADMINISTER  
15 THE STRATEGIC PARTNERSHIP FOR INDUSTRIAL RESURGENCE PROGRAM; AND

16 (IV) CENTERS OF EXCELLENCE ESTABLISHED PURSUANT TO SECTION THREE OF  
17 PART T OF CHAPTER EIGHTY-FOUR OF THE LAWS OF TWO THOUSAND TWO.

18 (B) PREFERENCE FOR RECEIVING FUNDS UNDER THIS SECTION SHALL BE GIVEN  
19 TO ENTITIES THAT PARTNER WITH OTHER ELIGIBLE ENTITIES TO PROVIDE THE  
20 FULL RANGE OF TECHNICAL ASSISTANCE SERVICES AS SPECIFIED IN SUBDIVISION  
21 TWO OF THIS SECTION.

22 (C) ENTITIES RECEIVING FUNDS UNDER THIS SECTION SHALL MATCH SUCH FUNDS  
23 ON A ONE-TO-ONE BASIS. SUCH MATCH SHALL CONSIST OF ACTUAL CASH, SALA-  
24 RIES, STAFF TIME, OR EXPENSES DIRECTLY ATTRIBUTABLE TO THE PURPOSES OF  
25 THIS SECTION. OVERHEAD COSTS MAY NOT BE INCLUDED IN THE MATCH.

26 5. USE OF FUNDS. (A) FUNDS CAN BE USED FOR COSTS RELATED TO CONDUCTING  
27 OUTREACH TO SMALL BUSINESSES TO PROMOTE AWARENESS OF SBIR/STTR PROGRAM  
28 SOLICITATIONS, GRANT PREPARATION AND REVIEW, AND PRINTING COSTS AND  
29 SUPPLIES ASSOCIATED WITH THE SUBMISSION OF GRANTS.

30 (B) FROM SUCH FUNDS AS MAY BE APPROPRIATED FOR THIS PURPOSE BY THE  
31 LEGISLATURE, THE CORPORATION SHALL MAKE COMPETITIVE AWARDS ANNUALLY IN  
32 AMOUNTS OF UP TO TWO HUNDRED THOUSAND DOLLARS TO PROVIDERS OF ASSISTANCE  
33 PURSUANT TO THIS SECTION.

34 6. REPORTING REQUIREMENTS. (A) ENTITIES RECEIVING FUNDS SHALL ANNUALLY  
35 PROVIDE TO THE CORPORATION DETAILS ON THE FOLLOWING:

36 (I) DESCRIPTION OF SMALL BUSINESSES SERVED, INCLUDING TECHNOLOGY  
37 FOCUS, BUSINESS SIZE AND LOCATION;

38 (II) SBIR AND STTR GRANTS APPLIED FOR AND RECEIVED AS A RESULT OF  
39 ASSISTANCE PROVIDED; AND

40 (III) ANY OTHER INFORMATION DEEMED APPROPRIATE BY THE CORPORATION.

41 (B) THE CORPORATION SHALL INCLUDE THE INFORMATION PROVIDED PURSUANT TO  
42 SUBDIVISION FIVE OF THIS SECTION IN THE ANNUAL REPORT FILED PURSUANT TO  
43 SECTION FOUR HUNDRED FOUR OF THE ECONOMIC DEVELOPMENT LAW.

44 (C) ON OR BEFORE FEBRUARY FIRST, TWO THOUSAND THIRTEEN, THE CORPO-  
45 RATION SHALL EVALUATE THE EFFECTIVENESS OF THE SBIR/STTR TECHNICAL  
46 ASSISTANCE PROGRAM AND REPORT SUCH FINDINGS TO THE GOVERNOR AND LEGISLA-  
47 TURE. THE CORPORATION SHALL ALSO MAKE RECOMMENDATIONS AS TO THE APPRO-  
48 PRIATENESS OF EXPANDING THE PROGRAM TO PROVIDE ASSISTANCE TO SBIR/STTR  
49 PHASE II APPLICANTS.

50 S 2. This act shall take effect immediately.