

10474

I N   A S S E M B L Y

May 29, 2012

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Introduced by M. of A. KELLNER -- read once and referred to the Committee on Small Business

AN ACT to amend the New York state urban development corporation act, in relation to requiring the small business revolving loan fund to issue a certain percentage of its remaining principal or further appropriations to micro loans and micro seed loans

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

1     Section 1. Subdivision 3 of section 16-t of section 1 of chapter 174  
2 of the laws of 1968, constituting the New York state urban development  
3 corporation act, as added by section 1 of part N of chapter 59 of the  
4 laws of 2010, is amended to read as follows:  
5     3. Program loans to small businesses shall be targeted and marketed to  
6 minority and women-owned enterprises and other small businesses that are  
7 having difficulty accessing traditional credit markets. Program loans to  
8 small businesses shall be used for the creation and retention of jobs,  
9 as defined by the corporation, including: (a) working capital; (b) the  
10 acquisition and/or improvement of real property; (c) the acquisition of  
11 machinery and equipment, property or improvement; or (d) the refinancing  
12 of debt obligations. There shall be [two] THREE categories of loans to  
13 small businesses: A MICRO SEED LOAN THAT SHALL HAVE A PRINCIPAL AMOUNT  
14 LESS THAN FIVE THOUSAND DOLLARS; a micro loan that shall have a principal  
15 amount [that is] NOT LESS THAN FIVE THOUSAND DOLLARS AND less than  
16 twenty-five thousand dollars; and a regular loan that shall have a principal  
17 amount not less than twenty-five thousand dollars. THE CORPORATION  
18 SHALL PROVIDE THAT NOT LESS THAN FIFTEEN PERCENT OF ANY REMAINING  
19 PRINCIPAL OR FURTHER APPROPRIATION OF THE FUND ON OR AFTER JULY FIRST,  
20 TWO THOUSAND TWELVE IS SET ASIDE FOR MICRO LOANS. FURTHERMORE THE  
21 CORPORATION SHALL PROVIDE THAT NOT LESS THAN FIVE PERCENT OF ANY REMAINING  
22 PRINCIPAL OR FURTHER APPROPRIATION OF THE FUND ON OR AFTER JULY  
23 FIRST, TWO THOUSAND TWELVE IS SET ASIDE FOR MICRO SEED LOANS. IN YEARS  
24 AFTER JULY FIRST, TWO THOUSAND TWELVE, WHEN THERE IS NO REMAINING PRINCIPAL  
25 OR THERE IS NO ADDITIONAL APPROPRIATION, NOT LESS THAN FIFTEEN  
26 PERCENT OF ANY GENERATED REVENUE SHALL BE SET ASIDE FOR MICRO LOANS.

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

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1 FURTHERMORE IN YEARS AFTER JULY FIRST, TWO THOUSAND TWELVE, WHEN THERE  
2 IS NO REMAINING PRINCIPAL OR THERE IS NO ADDITIONAL APPROPRIATION, NOT  
3 LESS THAN FIVE PERCENT OF ANY GENERATED REVENUE SHALL BE SET ASIDE FOR  
4 MICRO SEED LOANS. Prior to receiving program funds, the lending organ-  
5 ization must certify to the corporation that such loan complies with  
6 this section and rules and regulations promulgated for the program and  
7 that the lending organization has performed its obligations pursuant to  
8 and is in compliance with this section, the program rules and regu-  
9 lations and all agreements entered into between the corporation and the  
10 lending organization. The program funds amount used by the lending  
11 organization to fund a program applicant loan shall not be more than  
12 fifty percent of the principal amount of such loan. The program funds  
13 amount used by the lending organization to fund a program applicant loan  
14 shall not be greater than one hundred [and] twenty-five thousand  
15 dollars.  
16 S 2. This act shall take effect immediately.