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

10544

I N A S S E M B L Y

June 4, 2012

Introduced by COMMITTEE ON RULES -- (at request of M. of A. P. Rivera, Scarborough, Englebright) -- read once and referred to the Committee on Governmental Operations

AN ACT to amend the executive law, in relation to including certain information in the study of minority and women-owned business enterprise programs

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

Section 1. Paragraph (b) of subdivision 1 of section 312-a of the executive law, as amended by chapter 175 of the laws of 2010, is amended to read as follows:

(b) to determine whether there is a disparity between the number of qualified minorities and women ready, willing and able, with respect to labor markets, qualifications and other relevant factors, to participate in contractor employment, management level bodies, including boards of directors, and as senior executive officers within contracting entities and the number of such group members actually employed or affiliated with state contractors in the aforementioned capacities, and to determine what changes, if any, should be made to state policies affecting minority and women group populations with regard to state contractors' employment and appointment practices relative to diverse group members. Such study shall include, but not be limited to, an analysis of the history of minority and women-owned business enterprise programs and their effectiveness as a means of securing and ensuring participation by minorities and women, [and] a disparity analysis by market area and region of the state, *THE EFFECTIVENESS OF THE CURRENT NET WORTH THRESHOLDS, A STATISTICAL ANALYSIS OF THE PARTICIPATION OF MINORITY AND WOMEN-OWNED BUSINESS ENTERPRISES CORRELATED WITH SUCH BUSINESS ENTERPRISES' NET WORTH, WHETHER MINORITY AND WOMEN-OWNED BUSINESS ENTERPRISES' NET WORTH AT THE TIME OF CERTIFICATION HAS ANY EFFECT ON SUCH BUSINESS ENTERPRISE'S SUCCESS OR LACK THEREOF IN PARTICIPATION IN STATEWIDE PROCUREMENT, THE EFFECTIVENESS OF THE REGULATIONS ADOPTED SINCE THE TWO THOUSAND TEN DISPARITY STUDY, THE EXTENT OF COMPLIANCE BY STATE AGENCIES AND STATE AUTHORITIES WITH SUCH REGULATIONS, AN ANALYSIS OF THE*

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

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NUMBER OF MINORITY AND WOMEN-OWNED BUSINESS ENTERPRISES SEEKING CERTIFICATION SINCE THE TWO THOUSAND TEN DISPARITY STUDY, AND THE REASONS, IF ANY, FOR ANY INCREASE OR DECREASE IN SUCH CERTIFICATIONS. Such study shall distinguish between minority males, minority females and non-minority females in the statistical analysis.

S 2. This act shall take effect immediately, provided, however, that the amendments to paragraph (b) of subdivision one of section 312-a of the executive law, made by section one of this act shall not affect the expiration of such section and shall be deemed to expire therewith.