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

6117

2011-2012 Regular Sessions

I N A S S E M B L Y

March 8, 2011

Introduced by M. of A. BRENNAN, KAVANAGH -- read once and referred to the Committee on Corporations, Authorities and Commissions

AN ACT to amend the public authorities law, in relation to requiring a study by the authorities budget office on economic benefits provided by authorities; requiring that financing provided by authorities be subject to certain standards; and requiring that contractors receiving economic benefits from a public authority be subject to certain standards

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

Section 1. This act shall be known and may be cited as the "public authority financing and contractor accountability act of 2011".

S 2. The public authorities law is amended by adding a new article 1-B to read as follows:

ARTICLE 1-B

PUBLIC AUTHORITY FINANCING AND CONTRACTOR ACCOUNTABILITY ACT

SECTION 52. PUBLIC AUTHORITY FINANCING AND CONTRACTOR RESPONSIBILITY.

S 52. PUBLIC AUTHORITY FINANCING AND CONTRACTOR RESPONSIBILITY. 1. THE AUTHORITY BUDGET OFFICE, AS CREATED BY CHAPTER SEVEN HUNDRED SIXTY-SIX OF THE LAWS OF TWO THOUSAND FIVE, SHALL SUBMIT A REPORT TO THE TEMPORARY PRESIDENT OF THE SENATE, THE SPEAKER OF THE ASSEMBLY, THE CHAIR OF THE STANDING COMMITTEE ON CORPORATIONS, AUTHORITIES AND COMMISSIONS IN THE SENATE AND THE CHAIR OF THE STANDING COMMITTEE ON CORPORATIONS, AUTHORITIES AND COMMISSIONS IN THE ASSEMBLY, ANALYZING THE AMOUNT OF FUNDING AND ECONOMIC BENEFIT PROVIDED BY PUBLIC AUTHORITIES, PUBLIC BENEFIT CORPORATIONS, INDUSTRIAL DEVELOPMENT AGENCIES, OR LOCAL DEVELOPMENT CORPORATIONS. SUCH ANALYSIS SHALL INCLUDE THE PERCENTAGE OF BENEFITS PROVIDED FOR PROJECTS AS DEFINED IN SECTION TWO HUNDRED TWENTY OF THE LABOR LAW. IF TEN PERCENT OR MORE OF THE PUBLIC WORK PROJECT WAS FINANCED BY AN AUTHORITY, PUBLIC BENEFIT CORPORATION, INDUSTRIAL DEVEL-

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

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OPMENT AGENCY, OR LOCAL DEVELOPMENT AGENCY, THE AUTHORITY BUDGET OFFICE SHALL ANALYZE WHAT PERCENTAGE OF WORKERS COMPLETING THE PROJECTS WERE PAID THE PREVAILING WAGE. THE REPORT SHALL BE SUBMITTED ON THE ONE HUNDRED EIGHTIETH DAY AFTER THE EFFECTIVE DATE OF THIS SECTION.

2. ANY PUBLIC AUTHORITY OR PUBLIC BENEFIT CORPORATION THAT FINANCES OR PROVIDES TEN PERCENT OR MORE OF THE FINANCING TO A CONTRACTOR OR ENTITY NEEDED TO COMPLETE A CONTRACT OF A PROJECT AS DEFINED IN SECTION TWO HUNDRED TWENTY OF THE LABOR LAW IS REQUIRED TO ENFORCE THAT SUCH PROJECT BE SUBJECT TO SECTION TWO HUNDRED TWENTY OF THE LABOR LAW AS A REQUISITE OF SUCH FINANCING.

3. AT THE COMPLETION OF THE PROJECT, CONTRACTORS MUST SUBMIT A REPORT TO THE AWARDING AGENCY, INSTITUTION, OR ENTITY STATING THAT THE CONTRACT WAS FULLY EXECUTED, THE AMOUNT OF PAYMENTS AND WAGES PAID TO EMPLOYEES OR WORKERS USED TO COMPLETE THE PROJECT OR CONTRACT, AND ANY OTHER RELEVANT INFORMATION DETERMINED BY THE AWARDING AGENCY, INSTITUTION, OR ENTITY. FOR THE PURPOSES OF THIS SECTION "CONTRACTOR" SHALL MEAN AN INDIVIDUAL, A BUSINESS ENTERPRISE, INCLUDING A SOLE PROPRIETORSHIP, A PARTNERSHIP, A CORPORATION, A NOT-FOR-PROFIT CORPORATION, OR ANY OTHER PARTY TO A STATE CONTRACT, OR A BIDDER IN CONJUNCTION WITH THE AWARD OF A STATE CONTRACT, OR A PROPOSED PARTY TO A STATE CONTRACT.

S 3. This act shall take effect on the ninetieth day after it shall have become a law.