

8671

2011-2012 Regular Sessions

I N   A S S E M B L Y

October 27, 2011

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Introduced by M. of A. SCHIMMINGER -- read once and referred to the  
Committee on Economic Development

AN ACT to amend the economic development law, the public authorities law  
and the New York state urban development corporation act, in relation  
to providing a preference to small businesses and entrepreneurs in the  
award of state economic development assistance

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

1     Section 1. The economic development law is amended by adding a new  
2     section 101-a to read as follows:  
3     S 101-A. PREFERENCES TO SMALL BUSINESSES AND ENTREPRENEURS. IN EACH  
4     PROGRAM ADMINISTERED BY OR ON BEHALF OF THE DEPARTMENT PURSUANT TO AN  
5     APPROPRIATION OF FUNDS, AND CONSISTENT WITH ANY STATUTE GOVERNING SUCH  
6     PROGRAM, PREFERENCE SHALL BE GIVEN TO THE AWARD OF SUCH FUNDS TO SMALL  
7     BUSINESSES AND ENTREPRENEURS. SUCH PREFERENCE SHALL INCLUDE, BUT NOT BE  
8     LIMITED TO, ACTIVE MARKETING OF THE PROGRAM SPECIFICALLY TO SMALL BUSI-  
9     NESSES AND ENTREPRENEURS, PROVIDING ASSISTANCE TO INDIVIDUAL SMALL BUSI-  
10    NESSES AND ENTREPRENEURS IN ACCESSING AVAILABLE FUNDS UNDER THE PROGRAM,  
11    AND ESTABLISHING AND WORKING TO MEET THE GOAL OF AWARDING TWENTY PERCENT  
12    OF AVAILABLE FUNDS UNDER THE PROGRAM TO SMALL BUSINESSES AND ENTREPRE-  
13    NEURS. FOR PURPOSES OF THIS SECTION, THE TERM "ENTREPRENEUR" SHALL MEAN  
14    A PERSON WHO ORGANIZES, OPERATES, AND ASSUMES THE RISK OF A START-UP  
15    BUSINESS VENTURE. THE DEPARTMENT SHALL INCLUDE IN THE ANNUAL REPORT  
16    REQUIRED PURSUANT TO SUBDIVISION THIRTY-SEVEN-A OF SECTION ONE HUNDRED  
17    OF THIS ARTICLE A DESCRIPTION OF ACTIVITIES, A LISTING OF PROPOSALS  
18    RECEIVING FINANCIAL ASSISTANCE PURSUANT TO THIS SECTION AND IDENTIFY  
19    WHETHER THE TWENTY PERCENT GOAL WAS MET FOR EACH PROGRAM.  
20    S 2. Section 1823 of the public authorities law is amended by adding a  
21    new subdivision 8 to read as follows:  
22    8. IN EACH PROGRAM ADMINISTERED BY OR ON BEHALF OF THE AUTHORITY, AND  
23    CONSISTENT WITH ANY STATUTE GOVERNING SUCH PROGRAM, PREFERENCE SHALL BE

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

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1 GIVEN TO THE AWARD OF SUCH FUNDS TO SMALL BUSINESSES AND ENTREPRENEURS.  
2 SUCH PREFERENCE SHALL INCLUDE, BUT NOT BE LIMITED TO, ACTIVE MARKETING  
3 OF THE PROGRAM SPECIFICALLY TO SMALL BUSINESSES AND ENTREPRENEURS,  
4 PROVIDING ASSISTANCE TO INDIVIDUAL SMALL BUSINESSES AND ENTREPRENEURS IN  
5 ACCESSING AVAILABLE FUNDS UNDER THE PROGRAM, AND ESTABLISHING AND WORK-  
6 ING TO MEET THE GOAL OF AWARDING TWENTY PERCENT OF AVAILABLE FUNDS UNDER  
7 THE PROGRAM TO SMALL BUSINESSES AND ENTREPRENEURS. FOR PURPOSES OF THIS  
8 SUBDIVISION, THE TERM "SMALL BUSINESS" SHALL HAVE THE SAME MEANING AS  
9 PROVIDED IN SECTION ONE HUNDRED THIRTY-ONE OF THE ECONOMIC DEVELOPMENT  
10 LAW AND THE TERM "ENTREPRENEUR" SHALL MEAN A PERSON OR PERSONS WHO  
11 ORGANIZES, OPERATES, AND ASSUMES THE RISK OF A START-UP BUSINESS  
12 VENTURE. THE AUTHORITY SHALL INCLUDE IN THE ANNUAL PROGRAM REPORT  
13 REQUIRED PURSUANT TO SECTION EIGHTEEN HUNDRED TWENTY-NINE-A OF THIS  
14 TITLE A DESCRIPTION OF ACTIVITIES, A LISTING OF PROPOSALS PROVIDED WITH  
15 FINANCIAL ASSISTANCE PURSUANT TO THIS SECTION AND IDENTIFY WHETHER THE  
16 TWENTY PERCENT GOAL WAS MET FOR EACH PROGRAM.

17 S 3. Section 1 of chapter 174 of the laws of 1968 constituting the New  
18 York state urban development corporation act is amended by adding a new  
19 section 4-a to read as follows:

20 S 4-A. IN EACH PROGRAM ADMINISTERED BY OR ON BEHALF OF THE CORPORATION  
21 PURSUANT TO AN APPROPRIATION OF FUNDS, AND CONSISTENT WITH ANY STATUTE  
22 GOVERNING SUCH PROGRAM, PREFERENCE SHALL BE GIVEN TO THE AWARD OF SUCH  
23 FUNDS TO SMALL BUSINESSES AND ENTREPRENEURS. SUCH PREFERENCE SHALL  
24 INCLUDE, BUT NOT BE LIMITED TO, ACTIVE MARKETING OF THE PROGRAM SPECIF-  
25 ICALLY TO SMALL BUSINESSES AND ENTREPRENEURS, PROVIDING ASSISTANCE TO  
26 INDIVIDUAL SMALL BUSINESSES AND ENTREPRENEURS IN ACCESSING AVAILABLE  
27 FUNDS UNDER THE PROGRAM, AND ESTABLISHING AND WORKING TO MEET THE GOAL  
28 OF AWARDING TWENTY PERCENT OF AVAILABLE FUNDS UNDER THE PROGRAM TO SMALL  
29 BUSINESSES AND ENTREPRENEURS. FOR PURPOSES OF THIS SECTION, THE TERM  
30 "SMALL BUSINESS" SHALL HAVE THE SAME MEANING AS PROVIDED IN SECTION 131  
31 OF THE ECONOMIC DEVELOPMENT LAW AND THE TERM "ENTREPRENEUR" SHALL MEAN A  
32 PERSON OR PERSONS WHO ORGANIZES, OPERATES, AND ASSUMES THE RISK OF A  
33 START-UP BUSINESS VENTURE. THE CORPORATION SHALL INCLUDE IN THE ANNUAL  
34 PROGRAM REPORT REQUIRED PURSUANT TO SECTION THIRTY OF THIS ACT A  
35 DESCRIPTION OF ACTIVITIES, A LISTING OF PROPOSALS PROVIDED WITH FINAN-  
36 CIAL ASSISTANCE PURSUANT TO THIS SECTION AND IDENTIFY WHETHER THE TWENTY  
37 PERCENT GOAL WAS MET FOR EACH PROGRAM.

38 S 4. This act shall take effect immediately.