

4410

2011-2012 Regular Sessions

I N S E N A T E

April 4, 2011

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

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 ASSEMBLY, 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:

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

LBD10603-01-1

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

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

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

40 S 4. This act shall take effect immediately.