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I N   A S S E M B L Y

June 10, 2014

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Introduced by COMMITTEE ON RULES -- (at request of M. of A. Scarborough)  
-- 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 the regional revolving loan program

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

1     Section 1. Section 16-a of section 1 of chapter 174 of the laws of  
2     1968, constituting the New York state urban development corporation act,  
3     is amended by adding a new subdivision 3-a to read as follows:  
4     (3-A) NOTWITHSTANDING SUBDIVISION THREE OF THIS SECTION, WHERE APPLI-  
5     CABLE, THE CORPORATION IS AUTHORIZED TO ENTER INTO AGREEMENTS AS MAY BE  
6     NECESSARY FOR THE ADMINISTRATION AND REPORTING OF FUNDS REPAYED,  
7     RECEIVED, EXPENDED OR COLLECTED IN A MANNER CONSISTENT WITH THE  
8     PROVISIONS IN SECTION SIXTEEN-T OF THIS ACT. THE USE OF SUCH FUNDS BY  
9     THE CORPORATION SHALL BE CONSISTENT WITH THE TERMS, CONDITIONS AND  
10    RESTRICTIONS SET FORTH IN SUBDIVISION FOUR OF THIS SECTION, TO PROVIDE  
11    FINANCIAL ASSISTANCE TO ELIGIBLE REGIONAL CORPORATIONS AS DEFINED IN  
12    SUBDIVISION EIGHTEEN OF SECTION THREE OF THIS ACT. OUTSTANDING  
13    EXPENSES, LOANS AND OTHER OBLIGATIONS EXECUTED PRIOR TO THE EFFECTIVE  
14    DATE OF THIS SUBDIVISION SHALL BE SUBJECT TO THE TERMS AND CONDITIONS OF  
15    THE ORIGINAL CONTRACT OR CONTRACTS.  
16    S 2. Subdivision 20 of section 16-a of section 1 of chapter 174 of the  
17    laws of 1968, constituting the New York state urban development corpo-  
18    ration act, as amended by chapter 524 of the laws of 2005, is amended to  
19    read as follows:  
20    (20) Reporting. (A) THE LENDING ORGANIZATION SHALL SUBMIT TO THE  
21    CORPORATION ANNUAL REPORTS STATING: THE NUMBER OF PROGRAM LOANS MADE;  
22    THE AMOUNT OF PROGRAM FUNDING USED FOR LOANS; THE USE OF LOAN PROCEEDS  
23    BY THE BORROWER; THE NUMBER OF JOBS CREATED OR RETAINED; A DESCRIPTION  
24    OF THE ECONOMIC DEVELOPMENT GENERATED; THE STATUS OF EACH OUTSTANDING  
25    PROGRAM LOAN, INCLUDING FUND BALANCE; AND SUCH OTHER INFORMATION AS THE  
26    CORPORATION MAY REQUIRE.  
27    (B) The corporation shall, on or before October 1, 1988 and on or  
28    before each October first thereafter, submit a report to the governor

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

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1 and the legislature on the operations and accomplishments of the  
2 regional revolving loan program. Such report shall include a summary of  
3 the information contained in the reports submitted pursuant to subdivi-  
4 sion sixteen of this section and of the results of the audits performed  
5 by the corporation pursuant to subdivision nineteen of this section, and  
6 shall set forth the status of the regional revolving loan program for  
7 the previous fiscal year, including grants to the regional corporations,  
8 earnings and account balances as reported to the corporation. The report  
9 to be submitted on October 1, 2005 and on or before each October first  
10 thereafter shall be consolidated with the annual program report of the  
11 corporation required under the provisions of subdivision (b) of section  
12 thirty of this act, as amended.

13 (C) BEGINNING JANUARY 1, 2015, NOTWITHSTANDING ANY LAW TO THE CONTRA-  
14 RY, THE CORPORATION SHALL PUBLISH ON ITS WEBSITE ANNUAL REPORTS REQUIRED  
15 UNDER PARAGRAPHS (A) AND (B) OF THIS SUBDIVISION.

16 S 3. Subdivision 2 of section 16-c of section 1 of chapter 174 of the  
17 laws of 1968, constituting the New York state urban development act, is  
18 amended by adding a new paragraph (i) to read as follows:

19 (I) NOTWITHSTANDING ANY OTHER PROVISIONS OF THIS SUBDIVISION, WHERE  
20 APPLICABLE, THE CORPORATION IS AUTHORIZED TO ENTER INTO AGREEMENTS AS  
21 MAY BE NECESSARY FOR THE ADMINISTRATION AND REPORTING OF FUNDS REPAID,  
22 RECEIVED, EXPENDED OR COLLECTED IN A MANNER CONSISTENT WITH THE  
23 PROVISIONS IN SECTION SIXTEEN-T OF THIS ACT. THE USE OF SUCH FUNDS BY  
24 THE CORPORATION SHALL BE CONSISTENT WITH THE TERMS, CONDITIONS AND  
25 RESTRICTIONS SET FORTH UNDER THIS SUBDIVISION, TO PROVIDE FINANCIAL  
26 ASSISTANCE TO ELIGIBLE BUSINESSES AS DEFINED IN SUBDIVISIONS THREE AND  
27 FIVE OF SECTION TWO HUNDRED TEN OF THE ECONOMIC DEVELOPMENT LAW.  
28 OUTSTANDING EXPENSES, LOANS AND OTHER OBLIGATIONS EXECUTED PRIOR TO THE  
29 EFFECTIVE DATE OF THIS PARAGRAPH SHALL BE SUBJECT TO THE TERMS AND  
30 CONDITIONS OF THE ORIGINAL CONTRACT OR CONTRACTS.

31 (I) THE LENDING ORGANIZATION SHALL SUBMIT TO THE CORPORATION ANNUAL  
32 REPORTS STATING: THE NUMBER OF PROGRAM LOANS MADE; THE AMOUNT OF PROGRAM  
33 FUNDING USED FOR LOANS; THE USE OF LOAN PROCEEDS BY THE BORROWER; THE  
34 NUMBER OF JOBS CREATED OR RETAINED; A DESCRIPTION OF THE ECONOMIC DEVEL-  
35 OPMENT GENERATED; THE STATUS OF EACH OUTSTANDING PROGRAM LOAN, INCLUDING  
36 FUND BALANCE; AND SUCH OTHER INFORMATION AS THE CORPORATION MAY REQUIRE.

37 (II) BEGINNING JANUARY 1, 2015, NOTWITHSTANDING ANY LAW TO THE CONTRA-  
38 RY, THE CORPORATION SHALL PUBLISH ON ITS WEBSITE ANNUAL REPORTS REQUIRED  
39 UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH.

40 S 4. Subdivision 3 of section 16-c of section 1 of chapter 174 of the  
41 laws of 1968 constituting the New York state urban development act, is  
42 amended by adding two new paragraphs (d) and (e) to read as follows:

43 (D) NOTWITHSTANDING ANY OTHER PROVISIONS OF THIS SUBDIVISION, WHERE  
44 APPLICABLE, THE CORPORATION IS AUTHORIZED TO ENTER INTO AGREEMENTS AS  
45 MAY BE NECESSARY FOR THE ADMINISTRATION AND REPORTING OF FUNDS REPAID,  
46 RECEIVED, EXPENDED OR COLLECTED IN A MANNER CONSISTENT WITH THE  
47 PROVISIONS IN SECTION SIXTEEN-T OF THIS ACT. THE USE OF SUCH FUNDS BY  
48 THE CORPORATION SHALL BE CONSISTENT WITH THE TERMS, CONDITIONS AND  
49 RESTRICTIONS SET FORTH UNDER THIS SUBDIVISION, TO PROVIDE FINANCIAL  
50 ASSISTANCE TO ELIGIBLE BUSINESSES AS DEFINED IN SUBDIVISIONS THREE AND  
51 FIVE OF SECTION TWO HUNDRED TEN OF THE ECONOMIC DEVELOPMENT LAW.  
52 OUTSTANDING EXPENSES, LOANS AND OTHER OBLIGATIONS EXECUTED PRIOR TO THE  
53 EFFECTIVE DATE OF THIS PARAGRAPH SHALL BE SUBJECT TO THE TERMS AND  
54 CONDITIONS OF THE ORIGINAL CONTRACT OR CONTRACTS.

55 (E)(I) THE LENDING ORGANIZATION SHALL SUBMIT TO THE CORPORATION ANNUAL  
56 REPORTS STATING: THE NUMBER OF PROGRAM LOANS MADE; THE AMOUNT OF PROGRAM

FUNDING USED FOR LOANS; THE USE OF LOAN PROCEEDS BY THE BORROWER; THE NUMBER OF JOBS CREATED OR RETAINED; A DESCRIPTION OF THE ECONOMIC DEVELOPMENT GENERATED; THE STATUS OF EACH OUTSTANDING PROGRAM LOAN, INCLUDING FUND BALANCE; AND SUCH OTHER INFORMATION AS THE CORPORATION MAY REQUIRE.

(II) BEGINNING JANUARY 1, 2015, NOTWITHSTANDING ANY LAW TO THE CONTRARY, THE CORPORATION SHALL PUBLISH ON ITS WEBSITE ANNUAL REPORTS REQUIRED UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH.

S 5. Subdivision 8 of section 16-d of section 1 of chapter 174 of the laws of 1968, constituting the New York state urban development act, is amended by adding two new paragraphs (g-1) and (k-1) to read as follows:

(G-1) NOTWITHSTANDING ANY OTHER PROVISION IN THIS SUBDIVISION, WHERE APPLICABLE, THE CORPORATION IS AUTHORIZED TO ENTER INTO AGREEMENTS AS MAY BE NECESSARY FOR THE ADMINISTRATION AND REPORTING OF FUNDS REPAID, RECEIVED, EXPENDED OR COLLECTED IN A MANNER CONSISTENT WITH THE PROVISIONS IN SECTION SIXTEEN-T OF THIS ACT. THE USE OF SUCH FUNDS BY THE CORPORATION SHALL BE CONSISTENT WITH THE TERMS, CONDITIONS AND RESTRICTIONS SET FORTH IN THIS SECTION, TO PROVIDE FINANCIAL ASSISTANCE TO ELIGIBLE ENTITIES AS DESIGNATED UNDER THIS SUBDIVISION. OUTSTANDING EXPENSES, LOANS AND OTHER OBLIGATIONS EXECUTED PRIOR TO THE EFFECTIVE DATE OF THIS PARAGRAPH SHALL BE SUBJECT TO THE TERMS AND CONDITIONS OF THE ORIGINAL CONTRACT OR CONTRACTS.

(K-1) NOTWITHSTANDING ANY OTHER PROVISION IN THIS SUBDIVISION, WHERE APPLICABLE, THE CORPORATION IS AUTHORIZED TO ENTER INTO AGREEMENTS AS MAY BE NECESSARY FOR THE ADMINISTRATION AND REPORTING OF FUNDS REPAID, RECEIVED, EXPENDED OR COLLECTED IN A MANNER CONSISTENT WITH THE PROVISIONS IN SECTION SIXTEEN-T OF THIS ACT. THE USE OF SUCH FUNDS BY THE CORPORATION SHALL BE CONSISTENT WITH THE TERMS, CONDITIONS AND RESTRICTIONS SET FORTH IN THIS SECTION, TO PROVIDE FINANCIAL ASSISTANCE TO ELIGIBLE ENTITIES AS DESIGNATED UNDER THIS SUBDIVISION. OUTSTANDING EXPENSES, LOANS AND OTHER OBLIGATIONS EXECUTED PRIOR TO THE EFFECTIVE DATE OF THIS PARAGRAPH SHALL BE SUBJECT TO THE TERMS AND CONDITIONS OF THE ORIGINAL CONTRACT OR CONTRACTS.

S 6. Subdivision 14 of section 16-d of section 1 of chapter 174 of the laws of 1968, constituting the New York State urban development corporation act, is amended by adding a new paragraph (c) to read as follows:

(C) (I) THE LENDING ORGANIZATION SHALL SUBMIT TO THE CORPORATION ANNUAL REPORTS STATING: THE NUMBER OF PROGRAM LOANS MADE; THE AMOUNT OF PROGRAM FUNDING USED FOR LOANS; THE USE OF LOAN PROCEEDS BY THE BORROWER; THE NUMBER OF JOBS CREATED OR RETAINED; A DESCRIPTION OF THE ECONOMIC DEVELOPMENT GENERATED; THE STATUS OF EACH OUTSTANDING PROGRAM LOAN, INCLUDING FUND BALANCE; AND SUCH OTHER INFORMATION AS THE CORPORATION MAY REQUIRE.

(II) BEGINNING JANUARY 1, 2015, NOTWITHSTANDING ANY LAW TO THE CONTRARY, THE CORPORATION SHALL PUBLISH ON ITS WEBSITE ANNUAL REPORTS REQUIRED UNDER THIS PARAGRAPH AND PARAGRAPHS (A) AND (B) OF THIS SUBDIVISION.

S 7. Subdivision 14 of section 16-t of section 1 of chapter 174 of the laws of 1968, constituting the New York state urban development corporation act, as amended by section 1 of part II of chapter 59 of the laws of 2013, is amended and a new subdivision 14-a is added to read as follows:

14. The lending organization shall submit to the corporation annual reports stating: the number of program loans made; the amount of program funding used for loans; the use of loan proceeds by the borrower; the number of jobs created or retained; a description of the economic development generated; the status of each outstanding program loan, INCLUDING FUND BALANCE; and such other information as the corporation may require.

1 14-A. BEGINNING JANUARY 1, 2015, NOTWITHSTANDING ANY LAW TO THE  
2 CONTRARY, THE CORPORATION SHALL PUBLISH ON ITS WEBSITE ANNUAL REPORTS  
3 REQUIRED UNDER SUBDIVISION FOURTEEN OF THIS SECTION.  
4 S 8. This act shall take effect immediately.