

3057--B

2013-2014 Regular Sessions

I N A S S E M B L Y

January 23, 2013

Introduced by M. of A. SCHIMMINGER, MAGNARELLI, GUNTHER, WEPRIN, JAFFEE, BOYLAND, LUPARDO, SIMANOWITZ, ROSENTHAL, ROBINSON -- Multi-Sponsored by -- M. of A. BRENNAN, CAHILL, DenDEKKER, HEASTIE, HOOPER, MORELLE, PERRY, SKARTADOS, SWEENEY, THIELE -- read once and referred to the Committee on Small Business -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- recommitted to the Committee on Small Business in accordance with Assembly Rule 3, sec. 2 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the New York state urban development corporation act, in relation to creating the small business innovation research/small business technology transfer technical assistance program

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

1 Section 1. Section 1 of chapter 174 of the laws of 1968, constituting
2 the New York state urban development corporation act, is amended by
3 adding a new section 50 to read as follows:
4 S 50. SMALL BUSINESS INNOVATION RESEARCH (SBIR)/SMALL BUSINESS TECH-
5 NOLOGY TRANSFER (STTR) TECHNICAL ASSISTANCE PROGRAM. 1. THE SMALL BUSI-
6 NESS INNOVATION RESEARCH/SMALL BUSINESS TECHNOLOGY TRANSFER TECHNICAL
7 ASSISTANCE PROGRAM, HEREAFTER REFERRED TO AS "THE PROGRAM", IS HEREBY
8 CREATED IN THE CORPORATION FOR THE PURPOSES OF PROVIDING FUNDS TO ELIGI-
9 BLE ENTITIES TO PROVIDE TECHNICAL ASSISTANCE TO SMALL BUSINESSES OF ONE
10 HUNDRED EMPLOYEES OR LESS AND LOCATED IN NEW YORK STATE IN COMPETING
11 SUCCESSFULLY FOR GRANTS MADE AVAILABLE THROUGH PHASE I OF THE FEDERAL
12 SMALL BUSINESS INNOVATION RESEARCH PROGRAM AS ENACTED PURSUANT TO THE
13 SMALL BUSINESS INNOVATION DEVELOPMENT ACT OF 1982, AND THE SMALL BUSI-
14 NESS TECHNOLOGY TRANSFER ACT OF 1982, SO AS TO INCREASE THE NUMBER OF
15 PHASE I SBIR AND STTR AWARD WINNERS WITHIN THE STATE.
16 2. TECHNICAL ASSISTANCE SERVICES UNDER THIS SECTION MAY INCLUDE, BUT
17 ARE NOT LIMITED TO:

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

LBD01964-05-4

1 (A) OUTREACH TO SMALL BUSINESSES TO PROMOTE AWARENESS OF SBIR/STTR
2 PROGRAM SOLICITATIONS;

3 (B) COUNSELING TO DETERMINE THE ABILITY OF A BUSINESS TO PURSUE
4 SBIR/STTR PHASE I FUNDING, THE TECHNOLOGY MATCH WITH THE FEDERAL AGENCY
5 SOLICITATION TO BE PURSUED, THE QUALIFICATIONS OF PERSONNEL INVOLVED IN
6 THE PROPOSED PROJECT, AND THE LEVEL OF SUPPORT NEEDED FROM THE TECHNICAL
7 ASSISTANCE PROGRAM TO PRODUCE A COMPETITIVE APPLICATION; AND

8 (C) PROPOSAL PREPARATION ASSISTANCE INCLUDING GRANT WRITING, TECHNOLO-
9 GY EVALUATION, AND GENERAL PROPOSAL EVALUATION.

10 3. IN DETERMINING WHETHER TO PROVIDE TECHNICAL ASSISTANCE AUTHORIZED
11 PURSUANT TO THIS SECTION TO A SMALL BUSINESS, ELIGIBLE ENTITIES SHALL
12 CONSIDER THE PROBABILITY OF SUCH BUSINESS COMMERCIALIZING ANY INNO-
13 VATIONS RESULTING FROM RESEARCH FUNDED BY AN SBIR OR STTR AWARD IN NEW
14 YORK STATE.

15 4. ELIGIBLE ENTITIES. (A) ENTITIES THAT ARE ELIGIBLE TO RECEIVE FUNDS
16 UNDER THIS SECTION SHALL HAVE DEMONSTRABLE EXPERIENCE AND SUCCESS IN
17 PROVIDING TECHNICAL ASSISTANCE AUTHORIZED PURSUANT TO THIS SECTION, AND
18 AS DETERMINED BY THE CORPORATION, AND SHALL INCLUDE:

19 (I) CENTERS FOR ADVANCED TECHNOLOGY ESTABLISHED PURSUANT TO SECTION
20 THIRTY-ONE HUNDRED TWO-B OF THE PUBLIC AUTHORITIES LAW;

21 (II) TECHNOLOGY DEVELOPMENT CORPORATIONS ESTABLISHED PURSUANT TO
22 SECTION THIRTY-ONE HUNDRED TWO-D OF THE PUBLIC AUTHORITIES LAW;

23 (III) STATE UNIVERSITY OF NEW YORK ENGINEERING SCHOOLS THAT ADMINISTER
24 THE STRATEGIC PARTNERSHIP FOR INDUSTRIAL RESURGENCE PROGRAM; AND

25 (IV) CENTERS OF EXCELLENCE ESTABLISHED PURSUANT TO SECTION 3 OF PART T
26 OF CHAPTER 84 OF THE LAWS OF 2002 AND SECTION FOUR HUNDRED TEN OF THE
27 ECONOMIC DEVELOPMENT LAW.

28 (B) PREFERENCE FOR RECEIVING FUNDS UNDER THIS SECTION SHALL BE GIVEN
29 TO ENTITIES THAT PARTNER WITH OTHER ELIGIBLE ENTITIES TO PROVIDE THE
30 FULL RANGE OF TECHNICAL ASSISTANCE SERVICES AS SPECIFIED IN SUBDIVISION
31 TWO OF THIS SECTION.

32 (C) ENTITIES RECEIVING FUNDS UNDER THIS SECTION SHALL MATCH SUCH FUNDS
33 ON A ONE-TO-ONE BASIS. SUCH MATCH SHALL CONSIST OF ACTUAL CASH, SALA-
34 RIES, STAFF TIME, OR EXPENSES DIRECTLY ATTRIBUTABLE TO THE PURPOSES OF
35 THIS SECTION. OVERHEAD COSTS MAY NOT BE INCLUDED IN THE MATCH.

36 5. USE OF FUNDS. (A) FUNDS CAN BE USED FOR COSTS RELATED TO CONDUCTING
37 OUTREACH TO SMALL BUSINESSES TO PROMOTE AWARENESS OF SBIR/STTR PROGRAM
38 SOLICITATIONS, GRANT PREPARATION AND REVIEW, AND PRINTING COSTS AND
39 SUPPLIES ASSOCIATED WITH THE SUBMISSION OF GRANTS.

40 (B) FROM SUCH FUNDS AS MAY BE APPROPRIATED FOR THIS PURPOSE BY THE
41 LEGISLATURE, THE CORPORATION SHALL MAKE COMPETITIVE AWARDS ANNUALLY IN
42 AMOUNTS OF UP TO TWO HUNDRED THOUSAND DOLLARS TO PROVIDERS OF ASSISTANCE
43 PURSUANT TO THIS SECTION.

44 6. REPORTING REQUIREMENTS. (A) ENTITIES RECEIVING FUNDS SHALL ANNUALLY
45 PROVIDE TO THE CORPORATION DETAILS ON THE FOLLOWING:

46 (I) DESCRIPTION OF SMALL BUSINESSES SERVED, INCLUDING TECHNOLOGY
47 FOCUS, BUSINESS SIZE AND LOCATION;

48 (II) SBIR AND STTR GRANTS APPLIED FOR AND RECEIVED AS A RESULT OF
49 ASSISTANCE PROVIDED; AND

50 (III) ANY OTHER INFORMATION DEEMED APPROPRIATE BY THE CORPORATION.

51 (B) THE CORPORATION SHALL INCLUDE THE INFORMATION PROVIDED PURSUANT TO
52 SUBDIVISION FIVE OF THIS SECTION IN THE ANNUAL REPORT FILED PURSUANT TO
53 SECTION FOUR HUNDRED FOUR OF THE ECONOMIC DEVELOPMENT LAW.

54 (C) ON OR BEFORE FEBRUARY FIRST, TWO THOUSAND FIFTEEN, THE CORPORATION
55 SHALL EVALUATE THE EFFECTIVENESS OF THE SBIR/STTR TECHNICAL ASSISTANCE
56 PROGRAM AND REPORT SUCH FINDINGS TO THE GOVERNOR AND LEGISLATURE. THE

1 CORPORATION SHALL ALSO MAKE RECOMMENDATIONS AS TO THE APPROPRIATENESS OF
2 EXPANDING THE PROGRAM TO PROVIDE ASSISTANCE TO SBIR/STTR PHASE II APPLI-
3 CANTS.
4 S 2. This act shall take effect immediately.