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

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I N A S S E M B L Y

February 25, 2014

Introduced by M. of A. SCHIMMINGER, LUPARDO, CRESPO, JAFFEE, THIELE, BUCHWALD, OTIS, BROOK-KRASNY -- Multi-Sponsored by -- M. of A. ABBATE, COOK, MOSLEY -- read once and referred to the Committee on Governmental Operations

AN ACT to amend the executive law, in relation to the state model entrepreneur-in-residence act

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

Section 1. Legislative intent and short title. It is the intent of this legislature to establish a pilot program to accelerate entrepreneurship and innovation by partnering world-class entrepreneurs with state agencies. This act may be cited as the "Entrepreneur-in-Residence Act of 2014".

S 2. Section 170-b of the executive law, as added by chapter 385 of the laws of 2009, is redesignated section 170-c, and a new section 170-d is added to read as follows:

S 170-D. ENTREPRENEUR-IN-RESIDENCE ACT. 1. DEFINITIONS. (A) THE TERM "AGENCY" MEANS AN EXECUTIVE AGENCY;

(B) THE TERM "DEPARTMENT" MEANS THE DEPARTMENT OF ECONOMIC DEVELOPMENT;

(C) THE TERM "SECRETARY" MEANS THE SECRETARY OF THE DEPARTMENT;

(D) THE TERM "ENTREPRENEUR-IN-RESIDENCE" MEANS AN INDIVIDUAL APPOINTED TO A POSITION UNDER THE PROGRAM; AND

(E) THE TERM "PROGRAM" MEANS THE ENTREPRENEUR-IN-RESIDENCE PROGRAM ESTABLISHED UNDER PARAGRAPH (A) OF SUBDIVISION TWO OF THIS SECTION.

2. STATE ENTREPRENEUR-IN-RESIDENCE PROGRAM. (A) THE STATE ENTREPRENEUR-IN-RESIDENCE PROGRAM IS HEREBY ESTABLISHED IN THE DEPARTMENT, AND THE SECRETARY OR HIS OR HER DESIGNEE MAY APPOINT AN ENTREPRENEUR-IN-RESIDENCE IN ANY AGENCY TO CARRY OUT THE DUTIES DESCRIBED IN PARAGRAPH (G) OF THIS SUBDIVISION.

(B) THE MISSION OF THE PROGRAM SHALL BE TO:

(I) PROVIDE FOR BETTER OUTREACH BY THE STATE GOVERNMENT TO THE PRIVATE SECTOR;

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

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(II) STRENGTHEN COORDINATION AND INTERACTION BETWEEN THE STATE GOVERNMENT AND THE PRIVATE SECTOR ON ISSUES RELEVANT TO ENTREPRENEURS AND SMALL BUSINESS CONCERNS; AND

(III) MAKE STATE GOVERNMENT PROGRAMS SIMPLER, EASIER TO ACCESS, MORE EFFICIENT, AND MORE RESPONSIVE TO THE NEEDS OF SMALL BUSINESS CONCERNS AND ENTREPRENEURS.

(C) THE SECRETARY OR HIS OR HER DESIGNEE: (I) SHALL APPOINT ENTREPRENEURS-IN-RESIDENCE UNDER THE PROGRAM DURING EACH YEAR; AND

(II) MAY NOT APPOINT MORE THAN TEN ENTREPRENEURS-IN-RESIDENCE DURING ANY YEAR.

(D) THE SECRETARY OR HIS OR HER DESIGNEE SHALL SELECT ENTREPRENEURS-IN-RESIDENCE FROM AMONG INDIVIDUALS WHO: (I) ARE SUCCESSFUL IN THEIR FIELD;

(II) HAVE DEMONSTRATED SUCCESS IN WORKING WITH SMALL BUSINESS CONCERNS AND ENTREPRENEURS; OR

(III) HAVE SUCCESSFULLY DEVELOPED, INVENTED, OR CREATED A PRODUCT AND BROUGHT THE PRODUCT TO THE MARKETPLACE.

(E) IN APPOINTING ENTREPRENEURS-IN-RESIDENCE, THE SECRETARY OR HIS OR HER DESIGNEE SHALL: (I) GIVE PRIORITY TO PLACING ENTREPRENEURS-IN-RESIDENCE ACROSS THE STATE GOVERNMENT AT SEPARATE AGENCIES; AND

(II) TO THE EXTENT PRACTICABLE, NOT APPOINT MORE THAN TWO ENTREPRENEURS-IN-RESIDENCE TO POSITIONS IN THE SAME AGENCY DURING THE SAME YEAR.

(F) AN ENTREPRENEUR-IN-RESIDENCE SHALL:

(I) BE A FULL-TIME EMPLOYEE OF THE AGENCY TO WHICH THE ENTREPRENEUR-IN-RESIDENCE IS APPOINTED; AND

(II) MAY NOT SERVE AS AN ENTREPRENEUR-IN-RESIDENCE FOR MORE THAN A PERIOD OF TWO YEARS.

(G) AN ENTREPRENEUR-IN-RESIDENCE SHALL:

(I) ASSIST THE DEPARTMENT AND AGENCIES IN IMPROVING OUTREACH TO SMALL BUSINESS CONCERNS AND ENTREPRENEURS;

(II) PROVIDE RECOMMENDATIONS TO THE DEPARTMENT AND THE HEAD OF THE AGENCY EMPLOYING THE ENTREPRENEUR-IN-RESIDENCE ON INEFFICIENT OR DUPLICATIVE PROGRAMS, IF ANY, AT THE AGENCY;

(III) PROVIDE RECOMMENDATIONS TO THE DEPARTMENT AND THE HEAD OF THE AGENCY EMPLOYING THE ENTREPRENEUR-IN-RESIDENCE ON METHODS TO IMPROVE PROGRAM EFFICIENCY AT THE AGENCY OR NEW INITIATIVES, IF ANY, THAT MAY BE INSTITUTED AT THE AGENCY;

(IV) FACILITATE MEETINGS AND FORUMS TO EDUCATE SMALL BUSINESS CONCERNS AND ENTREPRENEURS ON PROGRAMS OR INITIATIVES OF THE DEPARTMENT AND THE AGENCY EMPLOYING THE ENTREPRENEUR-IN-RESIDENCE;

(V) FACILITATE IN-SERVICE SESSIONS WITH EMPLOYEES OF THE DEPARTMENT AND THE AGENCY EMPLOYING THE ENTREPRENEUR-IN-RESIDENCE ON ISSUES OF CONCERN TO ENTREPRENEURS AND SMALL BUSINESS CONCERNS; AND

(VI) PROVIDE TECHNICAL ASSISTANCE OR MENTORSHIP TO SMALL BUSINESS CONCERNS AND ENTREPRENEURS IN ACCESSING PROGRAMS AT THE DEPARTMENT AND THE AGENCY EMPLOYING THE ENTREPRENEUR-IN-RESIDENCE.

(H) AN INDIVIDUAL SHALL SERVE AS AN ENTREPRENEUR-IN-RESIDENCE WITHOUT COMPENSATION, BUT, AT THE DISCRETION OF THE HEAD OF A PARTICIPATING AGENCY, SHALL BE ENTITLED TO REIMBURSEMENT FROM THE PARTICIPATING AGENCY OF THE ACTUAL AND NECESSARY EXPENSES THE ENTREPRENEUR-IN-RESIDENCE INCURS IN DISCHARGE OF HIS OR HER DUTIES.

(I) AN ENTREPRENEUR-IN-RESIDENCE SHALL REPORT DIRECTLY TO THE HEAD OF THE AGENCY EMPLOYING THE ENTREPRENEUR-IN-RESIDENCE.

(J) THE SECRETARY MAY ESTABLISH AN INFORMAL WORKING GROUP OF ENTREPRENEURS-IN-RESIDENCE TO DISCUSS BEST PRACTICES, EXPERIENCES, OBSTACLES, OPPORTUNITIES, AND RECOMMENDATIONS.

(K) THE SECRETARY OR HIS OR HER DESIGNEE MAY NOT APPOINT AN ENTREPRENEUR-IN-RESIDENCE UNDER THIS SECTION AFTER SEPTEMBER THIRTIETH, TWO THOUSAND SIXTEEN.

S 3. This act shall take effect on the one hundred eightieth day after it shall have become a law, provided that the commissioner of economic development is authorized to promulgate any and all rules and regulations and take any other measures necessary to implement this act on its effective date, on or before such date.