

154--A

2013-2014 Regular Sessions

I N S E N A T E

(PREFILED)

January 9, 2013

Introduced by Sens. GALLIVAN, MAZIARZ -- read twice and ordered printed, and when printed to be committed to the Committee on Corporations, Authorities and Commissions -- 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 46 to read as follows:
4 S 46. 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:
18 (A) OUTREACH TO SMALL BUSINESSES TO PROMOTE AWARENESS OF SBIR/STTR
19 PROGRAM SOLICITATIONS;
20 (B) COUNSELING TO DETERMINE THE ABILITY OF A BUSINESS TO PURSUE
21 SBIR/STTR PHASE I FUNDING, THE TECHNOLOGY MATCH WITH THE FEDERAL AGENCY

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

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1 SOLICITATION TO BE PURSUED, THE QUALIFICATIONS OF PERSONNEL INVOLVED IN
2 THE PROPOSED PROJECT, AND THE LEVEL OF SUPPORT NEEDED FROM THE TECHNICAL
3 ASSISTANCE PROGRAM TO PRODUCE A COMPETITIVE APPLICATION; AND

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

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

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

15 (I) CENTERS FOR ADVANCED TECHNOLOGY ESTABLISHED PURSUANT TO SECTION
16 3102-B OF THE PUBLIC AUTHORITIES LAW;

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

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

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

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

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

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

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

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

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

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

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

47 (B) THE CORPORATION SHALL INCLUDE THE INFORMATION PROVIDED PURSUANT TO
48 SUBDIVISION FIVE OF THIS SECTION IN THE ANNUAL REPORT FILED PURSUANT TO
49 SECTION 404 OF THE ECONOMIC DEVELOPMENT LAW.

50 (C) ON OR BEFORE FEBRUARY FIRST, TWO THOUSAND FOURTEEN, THE CORPO-
51 RATION SHALL EVALUATE THE EFFECTIVENESS OF THE SBIR/STTR TECHNICAL
52 ASSISTANCE PROGRAM AND REPORT SUCH FINDINGS TO THE GOVERNOR AND LEGISLA-
53 TURE. THE CORPORATION SHALL ALSO MAKE RECOMMENDATIONS AS TO THE APPRO-
54 PRIATENESS OF EXPANDING THE PROGRAM TO PROVIDE ASSISTANCE TO SBIR/STTR
55 PHASE II APPLICANTS.

56 S 2. This act shall take effect immediately.