

1935

2013-2014 Regular Sessions

I N   S E N A T E

(PREFILED)

January 9, 2013

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Introduced by Sen. ADDABBO -- read twice and ordered printed, and when printed to be committed to the Committee on Labor

AN ACT to amend the labor law, in relation to prohibiting state funding to businesses that outsource jobs

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

1     Section 1. The labor law is amended by adding a new section 219-b to  
2     read as follows:  
3     S 219-B. OUTSOURCING OF JOBS PROHIBITED. 1. FOR PURPOSES OF THIS  
4     SECTION THE FOLLOWING TERMS SHALL HAVE THE FOLLOWING MEANINGS:  
5     (A) "OUTSOURCE" SHALL MEAN TO RELOCATE OR MOVE JOBS OUTSIDE OF THE  
6     STATE OF NEW YORK TO ANOTHER STATE OR COUNTRY;  
7     (B) "STATE FUNDING" SHALL MEAN THE PROVISION OF ANY AWARDS, GRANTS,  
8     LOANS, TAX BENEFITS OR ANY OTHER FINANCIAL ASSISTANCE BY THE STATE TO A  
9     BUSINESS ENTITY; AND  
10    (C) "BUSINESS ENTITY" SHALL MEAN ANY PERSON, FIRM, CORPORATION, PART-  
11    NERSHIP, LIMITED LIABILITY COMPANY OR ANY OTHER BUSINESS ENTITY DOING  
12    BUSINESS IN THIS STATE OR A SUCCESSOR, AFFILIATE, ALTER EGO OR SUBSID-  
13    IARY OF SUCH BUSINESS ENTITY.  
14    2. NO BUSINESS ENTITY SHALL RECEIVE STATE FUNDING IF A DETERMINATION  
15    IS MADE BY THE COMMISSIONER THAT SUCH BUSINESS ENTITY SHALL OUTSOURCE  
16    JOBS. UPON A DETERMINATION BY THE COMMISSIONER THAT A BUSINESS ENTITY  
17    SHALL OUTSOURCE JOBS, THE COMMISSIONER SHALL NOTIFY SUCH BUSINESS ENTITY  
18    OF SUCH DETERMINATION. UPON RECEIPT OF SUCH NOTICE, SUCH BUSINESS ENTITY  
19    SHALL HAVE THIRTY DAYS WITHIN WHICH TO REQUEST A HEARING REGARDING SUCH  
20    DETERMINATION. SUCH HEARING SHALL BE HELD IN A MANNER TO BE DETERMINED  
21    BY THE COMMISSIONER. FAILURE TO REQUEST A HEARING WITHIN THIRTY DAYS  
22    SHALL BE DEEMED A WAIVER OF SUCH BUSINESS ENTITY'S RIGHT TO A HEARING.  
23    IF AFTER SUCH HEARING A DETERMINATION IS MADE THAT SUCH BUSINESS ENTITY

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

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1 HAS OUTSOURCED JOBS OR AFTER EXPIRATION OF SUCH THIRTY DAY PERIOD, NO  
2 FURTHER STATE FUNDING SHALL BE MADE TO SUCH BUSINESS ENTITY.  
3 S 2. This act shall take effect on the first of April next succeeding  
4 the date on which it shall have become a law.