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I N   S E N A T E

May 21, 2014

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Introduced by Sen. O'BRIEN -- read twice and ordered printed, and when printed to be committed to the Committee on Commerce, Economic Development and Small Business

AN ACT to amend the economic development law and the state finance law, in relation to economic development grant recipients

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

1     Section 1. Subdivision 19 of section 100 of the economic development  
2     law is amended by adding a new paragraph (c) to read as follows:  
3     (C) TO ADOPT REGULATIONS IN ACCORDANCE WITH SECTION ELEVEN-A OF THE  
4     STATE FINANCE LAW, TO ESTABLISH THE TERMS AND CONDITIONS OF REPAYMENT,  
5     INCLUDING SPECIFYING THE CONDITIONS UNDER WHICH REPAYMENT MAY BE  
6     DEFERRED, FOLLOWING A DETERMINATION BY THE COMMISSION OF A LEGITIMATE  
7     HARDSHIP.  
8     S 2. The state finance law is amended by adding a new section 11-a to  
9     read as follows:  
10    S 11-A. REQUIREMENTS FOR ECONOMIC DEVELOPMENT GRANT RECIPIENTS. ANY  
11    PERSON OR BUSINESS ORGANIZATION WHO RECEIVES AN AWARD OR GRANT THROUGH  
12    AN ECONOMIC DEVELOPMENT PROGRAM, WHERE SUCH AWARD OR GRANT ALSO REQUIRES  
13    THE CREATION OF JOBS, SHALL NOT REDUCE THE NUMBER OF EMPLOYEES WHO WERE  
14    EMPLOYED WITHIN THE STATE AT THE TIME SUCH PERSON OR BUSINESS ORGANIZA-  
15    TION ACCEPTED THE FINANCIAL ASSISTANCE FOR FIVE YEARS AFTER RECEIVING  
16    SUCH ASSISTANCE OR DURING THE TERM OF THE AWARD OR GRANT, WHICHEVER IS  
17    LONGER, UNLESS THE FULL AMOUNT OF ASSISTANCE IS REPAYED TO THE STATE AND  
18    A PENALTY EQUAL TO FIVE PERCENT OF THE TOTAL ASSISTANCE RECEIVED IS PAID  
19    TO THE STATE. AS USED IN THIS SECTION, THE TERM "BUSINESS" SHALL INCLUDE  
20    ANY DIVISION OF A BUSINESS OR SUBSIDIARY INSTITUTION CONTROLLED, DIRECT-  
21    LY OR INDIRECTLY, BY ANOTHER INSTITUTION.  
22    S 3. This act shall take effect immediately.

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

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