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

April 5, 2016

Introduced by M. of A. BICHOTTE -- read once and referred to the Committee on Governmental Operations

AN ACT to amend the state finance law and the general municipal law, in relation to contractual relationships with minority and women-owned businesses

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

Section 1. Section 139-f of the state finance law is amended by adding a new subdivision 5 to read as follows:

5. ANY CONTRACTOR WHO SUBCONTRACTS AND/OR HAS A JOINT VENTURE WITH MINORITY AND WOMEN-OWNED BUSINESSES ON A PUBLIC WORK PROJECT AND PRIOR TO COMPLETION OF SUCH PROJECT THE CONTRACTOR CEASES ITS CONTRACTUAL RELATIONSHIP WITH ANY TO ALL MINORITY AND WOMEN-OWNED BUSINESSES, HE OR SHE SHALL REPORT SUCH CHANGE IN RELATIONSHIP TO THE PUBLIC OWNER OF SUCH PROJECT AND THE DIVISION OF MINORITY AND WOMEN'S BUSINESS DEVELOPMENT. FAILURE TO REPORT WITHIN SEVEN CALENDAR DAYS SHALL RESULT IN A FINE DETERMINED BY THE DIRECTOR OF THE DIVISION OF MINORITY AND WOMEN'S BUSINESS DEVELOPMENT.

S 2. Section 106-b of the general municipal law is amended by adding a new subdivision 4 to read as follows:

4. ANY CONTRACTOR WHO SUBCONTRACTS AND/OR HAS A JOINT VENTURE WITH MINORITY AND WOMEN-OWNED BUSINESSES ON A PUBLIC WORK PROJECT AND PRIOR TO COMPLETION OF SUCH PROJECT THE CONTRACTOR CEASES ITS CONTRACTUAL RELATIONSHIP WITH ANY TO ALL MINORITY AND WOMEN-OWNED BUSINESSES, HE OR SHE SHALL REPORT SUCH CHANGE IN RELATIONSHIP TO THE PUBLIC OWNER OF SUCH PROJECT AND THE DIVISION OF MINORITY AND WOMEN'S BUSINESS DEVELOPMENT. FAILURE TO REPORT WITHIN SEVEN CALENDAR DAYS SHALL RESULT IN A FINE DETERMINED BY THE DIRECTOR OF THE DIVISION OF MINORITY AND WOMEN'S BUSINESS DEVELOPMENT.

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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