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

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2015-2016 Regular Sessions

I N  S E N A T E

January 21, 2015

Introduced by Sen. FLANAGAN -- 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, the public authorities law and the New York state urban development corporation act, in relation to providing a preference to small businesses and entrepreneurs in the award of state economic development assistance

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

Section 1. The economic development law is amended by adding a new section 101-a to read as follows:

S 101-A. PREFERENCES TO SMALL BUSINESSES AND ENTREPRENEURS. IN EACH PROGRAM ADMINISTERED BY OR ON BEHALF OF THE DEPARTMENT PURSUANT TO AN APPROPRIATION OF FUNDS, AND CONSISTENT WITH ANY STATUTE GOVERNING SUCH PROGRAM, PREFERENCE SHALL BE GIVEN TO THE AWARD OF SUCH FUNDS TO SMALL BUSINESSES AND ENTREPRENEURS. SUCH PREFERENCE SHALL INCLUDE, BUT NOT BE LIMITED TO, ACTIVE MARKETING OF THE PROGRAM SPECIFICALLY TO SMALL BUSINESSES AND ENTREPRENEURS, PROVIDING ASSISTANCE TO INDIVIDUAL SMALL BUSINESSES AND ENTREPRENEURS IN ACCESSING AVAILABLE FUNDS UNDER THE PROGRAM, AND ESTABLISHING AND WORKING TO MEET THE GOAL OF AWARDING TWENTY PERCENT OF AVAILABLE FUNDS UNDER THE PROGRAM TO SMALL BUSINESSES AND ENTREPRENEURS. FOR PURPOSES OF THIS SECTION, THE TERM "ENTREPRENEUR" SHALL MEAN A PERSON WHO ORGANIZES, OPERATES, AND ASSUMES THE RISK OF A START-UP BUSINESS VENTURE. THE DEPARTMENT SHALL INCLUDE IN THE ANNUAL REPORT REQUIRED PURSUANT TO SUBDIVISION THIRTY-SEVEN-A OF SECTION ONE HUNDRED OF THIS ARTICLE A DESCRIPTION OF ACTIVITIES, A LISTING OF PROPOSALS RECEIVING FINANCIAL ASSISTANCE PURSUANT TO THIS SECTION AND IDENTIFY WHETHER THE TWENTY PERCENT GOAL WAS MET FOR EACH PROGRAM.

S 2. Section 1823 of the public authorities law is amended by adding a new subdivision 8 to read as follows:

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

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8. IN EACH PROGRAM ADMINISTERED BY OR ON BEHALF OF THE AUTHORITY, AND CONSISTENT WITH ANY STATUTE GOVERNING SUCH PROGRAM, PREFERENCE SHALL BE GIVEN TO THE AWARD OF SUCH FUNDS TO SMALL BUSINESSES AND ENTREPRENEURS. SUCH PREFERENCE SHALL INCLUDE, BUT NOT BE LIMITED TO, ACTIVE MARKETING OF THE PROGRAM SPECIFICALLY TO SMALL BUSINESSES AND ENTREPRENEURS, PROVIDING ASSISTANCE TO INDIVIDUAL SMALL BUSINESSES AND ENTREPRENEURS IN ACCESSING AVAILABLE FUNDS UNDER THE PROGRAM, AND ESTABLISHING AND WORKING TO MEET THE GOAL OF AWARDING TWENTY PERCENT OF AVAILABLE FUNDS UNDER THE PROGRAM TO SMALL BUSINESSES AND ENTREPRENEURS. FOR PURPOSES OF THIS SUBDIVISION, THE TERM "SMALL BUSINESS" SHALL HAVE THE SAME MEANING AS PROVIDED IN SECTION ONE HUNDRED THIRTY-ONE OF THE ECONOMIC DEVELOPMENT LAW AND THE TERM "ENTREPRENEUR" SHALL MEAN A PERSON OR PERSONS WHO ORGANIZES, OPERATES, AND ASSUMES THE RISK OF A START-UP BUSINESS VENTURE. THE AUTHORITY SHALL INCLUDE IN THE ANNUAL PROGRAM REPORT REQUIRED PURSUANT TO SECTION EIGHTEEN HUNDRED TWENTY-NINE-A OF THIS TITLE A DESCRIPTION OF ACTIVITIES, A LISTING OF PROPOSALS PROVIDED WITH FINANCIAL ASSISTANCE PURSUANT TO THIS SECTION AND IDENTIFY WHETHER THE TWENTY PERCENT GOAL WAS MET FOR EACH PROGRAM.

S 3. Section 1 of chapter 174 of the laws of 1968 constituting the New York state urban development corporation act is amended by adding a new section 4-a to read as follows:

S 4-A. PREFERENCES TO SMALL BUSINESSES AND ENTREPRENEURS. IN EACH PROGRAM ADMINISTERED BY OR ON BEHALF OF THE CORPORATION PURSUANT TO AN APPROPRIATION OF FUNDS, AND CONSISTENT WITH ANY STATUTE GOVERNING SUCH PROGRAM, PREFERENCE SHALL BE GIVEN TO THE AWARD OF SUCH FUNDS TO SMALL BUSINESSES AND ENTREPRENEURS. SUCH PREFERENCE SHALL INCLUDE, BUT NOT BE LIMITED TO, ACTIVE MARKETING OF THE PROGRAM SPECIFICALLY TO SMALL BUSINESSES AND ENTREPRENEURS, PROVIDING ASSISTANCE TO INDIVIDUAL SMALL BUSINESSES AND ENTREPRENEURS IN ACCESSING AVAILABLE FUNDS UNDER THE PROGRAM, AND ESTABLISHING AND WORKING TO MEET THE GOAL OF AWARDING TWENTY PERCENT OF AVAILABLE FUNDS UNDER THE PROGRAM TO SMALL BUSINESSES AND ENTREPRENEURS. FOR PURPOSES OF THIS SECTION, THE TERM "SMALL BUSINESS" SHALL HAVE THE SAME MEANING AS PROVIDED IN SECTION 131 OF THE ECONOMIC DEVELOPMENT LAW AND THE TERM "ENTREPRENEUR" SHALL MEAN A PERSON OR PERSONS WHO ORGANIZES, OPERATES, AND ASSUMES THE RISK OF A START-UP BUSINESS VENTURE. THE CORPORATION SHALL INCLUDE IN THE ANNUAL PROGRAM REPORT REQUIRED PURSUANT TO SECTION THIRTY OF THIS ACT A DESCRIPTION OF ACTIVITIES, A LISTING OF PROPOSALS PROVIDED WITH FINANCIAL ASSISTANCE PURSUANT TO THIS SECTION AND IDENTIFY WHETHER THE TWENTY PERCENT GOAL WAS MET FOR EACH PROGRAM.

S 4. This act shall take effect immediately.