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

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I N S E N A T E

May 12, 2016

Introduced by Sen. BOYLE -- 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 the effects of the minimum wage increase on New York state businesses and workforce

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

Section 1. Subdivision 6 of section 652 of the labor law, as added by section 3 of part K of chapter 54 of the laws of 2016, is amended to read as follows:

6. Notwithstanding subdivision one of this section, and sections six hundred fifty-three and six hundred fifty-five of this article, on or after January first, two thousand nineteen, and each January first thereafter until such time as the minimum wage is fifteen dollars in all areas of the state, the division of budget shall conduct an analysis of the state of the economy in each region, and the effect of the minimum wage increases listed in this section, to determine whether there should be a temporary suspension or delay in any scheduled increases. In conducting its analysis, the division of budget shall consult the department, the department's division of research and statistics, the United States department of labor, the federal reserve bank of New York and other economic experts. ADDITIONALLY, THE DIVISION OF BUDGET SHALL TAKE INTO CONSIDERATION THE INFORMATION COMPILED PURSUANT TO SUBDIVISIONS FIFTEEN AND SIXTEEN OF SECTION TWENTY-ONE OF THIS CHAPTER. The division of budget will reference well-established economic indexes and accepted economic factors, including those set forth in section six hundred fifty-four of this article, to justify and explain its decision. After reviewing such indexes and factors, the division shall determine whether scheduled increases in the minimum wage shall continue up to and including fifteen dollars. The division of budget will issue a report and recommendation to the commissioner, who shall take action on that report and recommendation pursuant to section six hundred fifty-six of this article.

S 2. Section 21 of the labor law is amended by adding three new subdivisions 15, 16 and 17 to read as follows:

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

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15. SHALL COMPILE AND REPORT, ON AN ANNUAL BASIS, TO THE GOVERNOR, THE TEMPORARY PRESIDENT OF THE SENATE AND THE SPEAKER OF THE ASSEMBLY, THE NUMBER OF CORPORATIONS AND BUSINESS ENTITIES THAT HAVE FILED WITH THE SECRETARY OF STATE THAT HAVE DISSOLVED OR CEASED TO EMPLOY NEW YORK WORKERS IN ENTITIES LOCATED WITHIN NEW YORK STATE DUE TO THE INCREASE IN MINIMUM WAGE.

16. SHALL ASK CORPORATIONS AND BUSINESS ENTITIES THAT HAVE FILED WITH THE SECRETARY OF STATE, TO REPORT THE NUMBER OF EMPLOYEES AT THE BEGINNING OF EACH YEAR AND THE END OF EACH YEAR, SPECIFICALLY NOTATING THE NUMBER OF EMPLOYEES NO LONGER EMPLOYED DUE TO THE INCREASE IN MINIMUM WAGE. ADDITIONALLY, SUCH CORPORATIONS AND BUSINESS ENTITIES SHALL REPORT ANY FAILURES TO EXPAND DUE TO SUCH INCREASE. SUCH DATA SHALL BE COMPILED AND REPORTED, ON AN ANNUAL BASIS, TO THE GOVERNOR, THE TEMPORARY PRESIDENT OF THE SENATE AND THE SPEAKER OF THE ASSEMBLY.

17. SHALL ESTABLISH A MECHANISM FOR WHICH CORPORATIONS AND BUSINESS ENTITIES SHALL PROVIDE THE INFORMATION DESCRIBED IN SUBDIVISIONS FIFTEEN AND SIXTEEN OF THIS SECTION.

S 3. This act shall take effect immediately.