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I N   S E N A T E

May 12, 2016

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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:

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

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

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

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

LBD15107-02-6

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

7 16. SHALL ASK CORPORATIONS AND BUSINESS ENTITIES THAT HAVE FILED WITH  
8 THE SECRETARY OF STATE, TO REPORT THE NUMBER OF EMPLOYEES AT THE BEGIN-  
9 NING OF EACH YEAR AND THE END OF EACH YEAR, SPECIFICALLY NOTATING THE  
10 NUMBER OF EMPLOYEES NO LONGER EMPLOYED DUE TO THE INCREASE IN MINIMUM  
11 WAGE. ADDITIONALLY, SUCH CORPORATIONS AND BUSINESS ENTITIES SHALL  
12 REPORT ANY FAILURES TO EXPAND DUE TO SUCH INCREASE. SUCH DATA SHALL BE  
13 COMPILED AND REPORTED, ON AN ANNUAL BASIS, TO THE GOVERNOR, THE TEMPO-  
14 RARY PRESIDENT OF THE SENATE AND THE SPEAKER OF THE ASSEMBLY.

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

18 S 3. This act shall take effect immediately.