

1177--A

2015-2016 Regular Sessions

I N   A S S E M B L Y

January 8, 2015

---

Introduced by M. of A. GUNTHER -- read once and referred to the Committee on Labor -- recommitted to the Committee on Labor in accordance with Assembly Rule 3, sec. 2 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the economic development law, in relation to requiring development centers and entrepreneurship support centers to track the success of program participants; to amend the labor law, in relation to self employment activities for the purposes of unemployment claims; and to amend chapter 413 of the laws of 2003, amending the labor law relating to the self-employment assistance program and other matters, in relation to extending the expiration of the provisions thereof

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

1     Section 1. Subdivision 1 of section 213 of the economic development  
2 law, as added by chapter 839 of the laws of 1987, is amended to read as  
3 follows:  
4     1. monitor the performance of each development center and each entre-  
5 preneurship support center and require periodic and annual reports from  
6 each development center and each entrepreneurship support center at such  
7 time and in such a manner as prescribed by the commissioner, PROVIDED  
8 THAT SUCH PERIODIC AND ANNUAL REPORTS SHALL PROVIDE INFORMATION ON  
9 OUTCOMES, WHETHER SUCCESSFUL OR NOT, FOR ALL INDIVIDUAL PROGRAM PARTIC-  
10 IPANTS OF EACH DEVELOPMENT CENTER OR ENTREPRENEURSHIP SUPPORT CENTER,  
11 AND TRACK SUCH OUTCOMES ON A STATISTICAL BASIS FOR A PERIOD OF UP TO  
12 FIVE YEARS SO AS TO HELP ASCERTAIN, TRACK AND DOCUMENT THE SUCCESS RATE  
13 FOR SUCH PARTICIPANTS;  
14     S 2. Paragraph (b) of subdivision 2 of section 213 of the economic  
15 development law, as amended by chapter 227 of the laws of 1993, is  
16 amended to read as follows:  
17     (b) in the case of entrepreneurship support centers, the extent to  
18 which the program serves minorities, women, individuals with a disabili-

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

LBD01973-03-6

1 ty and dislocated workers; the extent to which the program is coordi-  
2 nated with other assistance programs targeted to small and new busi-  
3 nesses; the ability of the program to leverage other sources of funding  
4 and support; the success of the training programs in aiding entrepre-  
5 neurs to start up new businesses, including the number of new business  
6 start-ups resulting from the program, and the quality of supplemental  
7 technical assistance offered to graduates of the training programs; A  
8 REGIONAL ANALYSIS OF THE EFFECTIVENESS OF A SELF-EMPLOYMENT ASSISTANCE  
9 PROGRAM, AS ESTABLISHED IN SECTION FIVE HUNDRED NINETY-ONE-A OF THE  
10 LABOR LAW, SPONSORED BUSINESSES AND BUSINESS ACTIVITY, INCLUDING ANY  
11 REGIONAL DISPARITIES IN THE PARTICIPATION RATES OF SUCH CENTERS AND  
12 CONDUCTED AT SUCH CENTERS AND THE NEED FOR MECHANISMS TO ALLEVIATE SUCH  
13 DISPARITIES; such report shall recommend changes and improvements in the  
14 program;

15 S 3. Subparagraph (iii) of paragraph (c) of subdivision 2 of section  
16 591-a of the labor law, as amended by section 1 of part Z of chapter 57  
17 of the laws of 2013, is amended to read as follows:

18 (iii) are participating in self-employment assistance activities  
19 approved by the department and by the department of economic development  
20 which include but need not be limited to entrepreneurial training, busi-  
21 ness counseling, and technical assistance, including financing assist-  
22 ance for qualified individuals as appropriate, offered by entrepreneur-  
23 ship support centers established pursuant to section two hundred twelve  
24 of the economic development law, state university of New York small  
25 business development centers, programs offered by community-based organ-  
26 izations, local development corporations, and boards of cooperative  
27 educational services (BOCES) as established pursuant to section one  
28 thousand nine hundred fifty of the education law; and, unless otherwise  
29 required by federal law or regulation, no individual shall be prohibited  
30 from or disqualified from eligibility for the program if prior to apply-  
31 ing for the program, an individual has printed business cards or has a  
32 website that is designed but not active, and neither are being used to  
33 solicit or conduct business. SELF-EMPLOYMENT ASSISTANCE ACTIVITIES MAY  
34 INCLUDE CLASSROOM TRAINING FOR UP TO FORTY HOURS AND ONE-ON-ONE COUN-  
35 SELING FOR UP TO TWENTY HOURS FOR EACH PARTICIPANT, INSTRUCTION ON  
36 START-UP BUSINESS FINANCIAL MANAGEMENT, CAPITAL ACQUISITION AND THE  
37 DEVELOPMENT OF BUSINESS PLANS TO ESTABLISH A SUCCESSFUL BUSINESS, THE  
38 PROVISION OF INFORMATION ON THE EXISTENCE OF LOCAL PROFESSIONAL ORGAN-  
39 IZATIONS OR CHAMBERS OF COMMERCE THAT CAN HELP TO PROVIDE A SUPPORT  
40 NETWORK FOR THE SUCCESSFUL ESTABLISHMENT AND OPERATION OF A NEWLY FORMED  
41 BUSINESS, AND OFFER THE PROVISION OF FOLLOW-UP ADVICE AND COUNSELING TO  
42 PARTICIPANTS TO HELP ENSURE THE SUCCESS OF SUCH BUSINESS VENTURE;

43 S 4. Section 10 of chapter 413 of the laws of 2003, amending the labor  
44 law relating to the self-employment assistance program and other  
45 matters, as amended by chapter 457 of the laws of 2015, is amended to  
46 read as follows:

47 S 10. This act shall take effect immediately; provided, however, that  
48 sections eight and nine of this act shall expire December 7, [2017] 2019  
49 when upon such date the provisions of such sections shall be deemed  
50 repealed.

51 S 5. This act shall take effect on the first of January next succeed-  
52 ing the date on which it shall have become a law; provided, however that  
53 the amendments to section 591-a of the labor law made by section three  
54 of this act shall not affect the repeal of such section and shall be  
55 deemed repealed therewith.