

STATE OF NEW YORK

2819

2017-2018 Regular Sessions

IN ASSEMBLY

January 23, 2017

Introduced by M. of A. BICHOTTE, SOLAGES, SEPULVEDA, SEAWRIGHT, WALKER, HOOPER, HYNDMAN, BLAKE -- read once and referred to the Committee on Governmental Operations

AN ACT to amend the executive law, in relation to eliminating the requirement that certain minority and women-owned business enterprise owners have a personal net worth of less than three million five hundred thousand dollars in order to obtain certification as a qualifying minority and women-owned business enterprise; and clarifying that an individual's net worth is not to be considered in determining eligibility for certification under Article 15-A of the executive law

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. Subparagraphs (v), (vi) and (vii) of paragraph (a) of
2 subdivision 2-a of section 314 of the executive law, as amended by chap-
3 ter 175 of the laws of 2010, are amended to read as follows:

4 (v) be subject to a physical site inspection to verify the fifty-one
5 percent ownership requirement; and

6 (vi) [~~be owned by an individual or individuals, whose ownership,
7 control and operation are relied upon for certification, with a personal
8 net worth that does not exceed three million five hundred thousand
9 dollars, as adjusted annually for inflation according to the consumer
10 price index; and~~

11 ~~(vii)]~~ be an enterprise that is a small business pursuant to subdivi-
12 sion twenty of section three hundred ten of this article.

13 § 2. Notwithstanding any rule, regulation or guideline to the contra-
14 ry, the personal net worth of an individual or individuals, whose owner-
15 ship, control and operation are relied upon for certification of a busi-
16 ness as a certified minority and women-owned business enterprise
17 pursuant to the provisions of article 15-A of the executive law shall
18 not be taken into account in determining certification under such arti-
19 cle.

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

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1 § 3. This act shall take effect immediately; provided, however, that
2 the amendments to section 314 of the executive law made by section one
3 of this act shall not affect the expiration of such section and shall be
4 deemed expired therewith.