STATE OF NEW YORK

4120--A

Cal. No. 1052

2017-2018 Regular Sessions

IN SENATE

February 3, 2017

Introduced by Sens. AKSHAR, AMEDORE, BONACIC, CROCI, GALLIVAN, GOLDEN, HANNON, HELMING, MURPHY, RANZENHOFER, SEWARD -- read twice and ordered printed, and when printed to be committed to the Committee on Finance -- reported favorably from said committee, ordered to first and second report, ordered to a third reading, amended and ordered reprinted, retaining its place in the order of third reading

AN ACT to amend the executive law, in relation to regulatory fines for small businesses

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

Section 1. The executive law is amended by adding a new section 170-c to read as follows:

§ 170-c. Regulatory fines for small businesses. 1. Notwithstanding any other law, rule or regulation to the contrary, no state agency shall fine a small business for a first violation of such agency's rules or regulations, unless the agency determines that the violation directly affected public health or safety. Upon such first violation, a state agency shall (a) provide the small business with a copy of any applicable small business regulation guides pursuant to section one hundred two-a of the state administrative procedure act and any other helpful compliance information detailing the agency's rules and regulations, or (b) hold an in-person meeting with the small business to help assist such small business with compliance with the agency's rules and regulations.

2. "Small business" as used in this section shall mean a business which is resident in this state, independently owned and operated, not dominant in its field and employs one hundred or less persons.

§ 2. This act shall take effect immediately.

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

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