

# 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:

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

3 § 170-c. Regulatory fines for small businesses. 1. Notwithstanding  
4 any other law, rule or regulation to the contrary, no state agency shall  
5 fine a small business for a first violation of such agency's rules or  
6 regulations, unless the agency determines that the violation directly  
7 affected public health or safety. Upon such first violation, a state  
8 agency shall (a) provide the small business with a copy of any applica-  
9 ble small business regulation guides pursuant to section one hundred  
10 two-a of the state administrative procedure act and any other helpful  
11 compliance information detailing the agency's rules and regulations, or  
12 (b) hold an in-person meeting with the small business to help assist  
13 such small business with compliance with the agency's rules and regu-  
14 lations.

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

18 § 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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