

STATE OF NEW YORK

5642--A

2017-2018 Regular Sessions

IN SENATE

April 24, 2017

Introduced by Sens. CROCI, BONACIC, LARKIN -- read twice and ordered printed, and when printed to be committed to the Committee on Corporations, Authorities and Commissions -- recommitted to the Committee on Corporations, Authorities and Commissions in accordance with Senate Rule 6, sec. 8 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the New York state urban development corporation act and the economic development law, in relation to establishing a certified service-disabled veteran-owned business enterprise development and lending program

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

Section 1. Section 1 of chapter 174 of the laws of 1968 constituting the New York state urban development corporation act is amended by adding a new section 16-c-1 to read as follows:

§ 16-c-1. Certified service-disabled veteran-owned business enterprise development and lending program. (1) Certified service-disabled veteran-owned business enterprise development and lending program. (a) There is hereby created a certified service-disabled veteran-owned business enterprise development and lending program for the purpose of providing financial and technical assistance to certified service-disabled veteran-owned business enterprises.

(b) For the purposes of this section the following words or terms shall mean as follows:

(i) "certified service-disabled veteran-owned business enterprise" shall mean a business enterprise, certified pursuant to article seventeen-B of the executive law.

(ii) "incubator" shall mean a facility providing low-cost space, technical assistance and support services, including, but not limited to, central services shared by tenants of the facility, to certified service-disabled veteran-owned business enterprises.

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

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1 (c) Assistance shall not be provided under this section for:

2 (i) the purchase or rehabilitation of real property for speculative
3 purposes;

4 (ii) payment of any tax or employee benefit arrearage;

5 (iii) residential construction, renovation or development
6 construction, except for assistance to certified service-disabled veter-
7 an-owned business enterprise contractors under subdivision four of this
8 section;

9 (iv) educational institutions and proprietary education firms, except
10 licensed child care facilities;

11 (v) hospitals or residential health care facilities;

12 (vi) overnight lodging facilities;

13 (vii) refinancing of debt or equity invested in an enterprise or
14 project.

15 (d) The corporation is authorized to:

16 (i) establish programs in conjunction with locally and community-based
17 entities to decentralize lending for small loans and loans to start up
18 certified service-disabled veteran-owned business enterprises;

19 (ii) establish a comprehensive program for certified service-disabled
20 veteran-owned business enterprises, which may include assistance through
21 loans, bonding assistance and technical assistance;

22 (iii) establish a program to provide loans to established certified
23 service-disabled veteran-owned business enterprises including loans to
24 such businesses seeking to acquire or expand a franchise;

25 (iv) provide loan guarantees to financial institutions and make linked
26 deposits into federally and state chartered credit unions for the
27 purpose of encouraging private financial institutions to make loans to
28 certified service-disabled veteran-owned business enterprises;

29 (v) establish a program to create incubators to assist small and high
30 risk certified service-disabled veteran-owned business enterprises to
31 grow and prosper;

32 (vi) promote equity investment in certified service-disabled veteran-
33 owned business enterprises;

34 (vii) establish a comprehensive technical assistance program in coop-
35 eration with the department of economic development to assist certified
36 service-disabled veteran-owned business enterprises; and

37 (viii) notwithstanding any provision of law to the contrary, establish
38 a certified service-disabled veteran-owned business enterprise invest-
39 ment fund to provide critical financial support to foster the develop-
40 ment of new and emerging ideas and products of certified service-disa-
41 bled veteran-owned business enterprises as well as to promote the
42 long-term financial performance and success of early stage enterprises
43 that are certified service-disabled veteran-owned business enterprise
44 start-ups. The selection of an eligible applicant and beneficiary compa-
45 nies for the certified service-disabled veteran-owned business enter-
46 prise investment fund shall be selected by the process established
47 pursuant to subdivisions two, three, and four of section sixteen-u of
48 this act. Certified service-disabled veteran-owned business enterprises
49 who participate in such certified service-disabled veteran-owned busi-
50 ness enterprise investment fund under this subdivision shall not be
51 precluded from qualifying for any other assistance, grant or loan made
52 available from the state.

53 (2) Certified service-disabled veteran-owned business enterprise
54 revolving loan trust fund. For the purpose of establishing programs in
55 conjunction with locally and community based entities to decentralize
56 lending for small loans and loans to start up certified service-disabled

1 veteran-owned business enterprises, the corporation shall establish
2 certified service-disabled veteran-owned business enterprise revolving
3 loan trust fund accounts and related administrative expenses trust fund
4 accounts.

5 (a) Each certified service-disabled veteran-owned business enterprise
6 revolving loan trust fund account shall be administered by one or more
7 of the following types of entities that provide services to community
8 businesses and have as one of their primary purposes the provision of
9 services and assistance to certified service-disabled veteran-owned
10 business enterprises:

11 (i) empire zone capital corporations established pursuant to section
12 nine hundred sixty-four of the general municipal law;

13 (ii) community-based local development corporations or industrial
14 development agencies that serve a municipality in which an empire zone
15 has been established pursuant to article eighteen-B of the general
16 municipal law and have as their primary purpose assistance to certified
17 service-disabled veteran-owned business enterprises located or to be
18 located in such empire zone; or

19 (iii) local and community development corporations, industrial devel-
20 opment agencies, or other not-for-profit entities, representative of the
21 community.

22 (b) To be eligible to administer a certified service-disabled veter-
23 an-owned business enterprise revolving loan trust fund account, the
24 entity must also:

25 (i) have staff with sufficient expertise to analyze applications for
26 financial assistance, to regularly monitor financial assistance to
27 clients, and to provide management or technical assistance to clients;
28 and

29 (ii) have established a loan committee composed of six or more persons
30 experienced in business management, commercial lending or in the opera-
31 tion of a for-profit business, at least one-half of whom shall be expe-
32 rienced in commercial lending, and at least one-quarter of whom shall be
33 service-disabled veterans as defined in article seventeen-B of the exec-
34 utive law. Such loan committee shall review every application, determine
35 the feasibility of the proposed project and the likelihood of repayment
36 of the requested financing and shall recommend to the governing body of
37 the entity such action on the application as the loan committee deems
38 appropriate. The corporation shall identify entities eligible to admin-
39 ister the certified service-disabled veteran-owned business enterprise
40 revolving loan trust fund accounts through a competitive statewide
41 request for proposal process.

42 (c) Any entity selected to administer a certified service-disabled
43 veteran-owned business enterprise revolving loan trust fund account
44 shall be eligible to draw funds from the account as needed to provide
45 the following types of financial assistance to certified service-disa-
46 bled veteran-owned business enterprises upon certification to and
47 acceptance by the corporation that such assistance complies with rules
48 and regulations promulgated by the corporation:

49 (i) working capital loans, provided that the amount of the loan does
50 not exceed thirty-five thousand dollars and the term of the loan does
51 not exceed five years; and

52 (ii) loans for the acquisition and/or improvement of real property and
53 for the acquisition of machinery and equipment provided that the amount
54 of the loan does not exceed fifty thousand dollars and the term of the
55 loan does not exceed the useful life of the equipment or property.

1 (d) (i) Notwithstanding any provision of law to the contrary, the
2 corporation may establish an administrative expenses trust fund account
3 for the benefit of each entity selected to administer a certified
4 service-disabled veteran-owned business enterprise revolving loan trust
5 fund account. The initial deposit of funds to an administrative expenses
6 trust fund account shall be an amount determined by the corporation but
7 shall not exceed twenty-five thousand dollars.

8 (ii) An entity selected to administer a certified service-disabled
9 veteran-owned business enterprise revolving loan trust fund account may
10 use the funds in the administrative expenses trust fund account for
11 costs incurred by it in the start-up and administration of the financial
12 assistance program authorized pursuant to this subdivision.

13 (iii) The corporation shall deposit into each administrative expenses
14 trust fund account:

15 (A) all income earned from the moneys on deposit in the corresponding
16 certified service-disabled veteran-owned business enterprise revolving
17 loan trust fund account during the first year of the entity's adminis-
18 tration of said account; and

19 (B) beginning with its second year in administering a certified
20 service-disabled veteran-owned business enterprise revolving loan trust
21 fund account, said amounts may be used for costs incurred by the entity
22 in administering the certified service-disabled veteran-owned business
23 enterprise revolving loan trust fund account; and

24 (C) repayments of interest on loans made from the corresponding certi-
25 fied service-disabled veteran-owned business enterprise revolving loan
26 trust fund account.

27 (iv) Funds from the administrative expenses trust fund account may be
28 used for costs incurred at any time by an administering entity in its
29 administration of a certified service-disabled veteran-owned business
30 enterprise revolving loan trust fund account pursuant to this section.

31 (v) Funds deposited in an administrative expenses trust fund account
32 shall be disbursed by the corporation to the entity that administers the
33 corresponding certified service-disabled veteran-owned business enter-
34 prise revolving loan trust fund account on a periodic basis and shall be
35 expended by the entity in accordance with an annual budget and any
36 updates of same, approved by the corporation.

37 (e) Any entity selected to administer a certified service-disabled
38 veteran-owned business enterprise revolving loan trust fund account
39 shall pay to the corporation for deposit any repayments received in
40 connection with financial assistance provided from its account. Payments
41 consisting of the repayment of the principal amount of a loan shall be
42 deposited by the corporation into the certified service-disabled veter-
43 an-owned business enterprise revolving loan trust fund account from
44 which the loan was made. The interest earned by the corporation from the
45 investment of moneys in each certified service-disabled veteran-owned
46 business enterprise revolving loan trust fund account during and after
47 the second year of a selected entity's administration of said account
48 shall be deposited by the corporation into the corresponding certified
49 service-disabled veteran-owned business enterprise revolving loan trust
50 fund account and used to provide the financial assistance to certified
51 service-disabled veteran-owned business enterprises as authorized pursu-
52 ant to this section.

53 (f) The provisions of subdivisions eight, nine, fourteen, fifteen,
54 sixteen, seventeen, eighteen and nineteen of section sixteen-a of this
55 act pertaining to the regional revolving loan trust fund shall also be
56 applicable to the certified service-disabled veteran-owned business

1 enterprise revolving loan trust fund, provided that: where the term
2 "regional corporation" appears therein it shall be interpreted to mean
3 an entity selected to administer a certified service-disabled veteran-
4 owned business enterprise revolving loan trust fund account, and
5 "regional revolving loans trust fund" shall mean a certified service-
6 disabled veteran-owned business enterprise revolving loan trust fund,
7 and where the term "this section" appears therein it shall mean this
8 section.

9 (g) The corporation may provide funds from an appropriation for the
10 certified service-disabled veteran-owned business enterprise development
11 and lending program to any entity selected to administer a certified
12 service-disabled veteran-owned business enterprise revolving loan trust
13 fund for the purposes of recapitalizing such account and the entity's
14 corresponding administrative expenses trust fund account following an
15 evaluation by the corporation of the entity's administration and use of
16 such accounts.

17 (h) Notwithstanding any provision of law to the contrary, the corpo-
18 ration shall establish a certified service-disabled veteran-owned busi-
19 ness enterprise revolving loan trust fund to pay into such fund any
20 moneys made available to the corporation for such fund from any source,
21 including moneys appropriated by the state and any income earned by, or
22 increment to, the account due to the investment thereof, or any repay-
23 ment of moneys advanced from the fund. The corporation shall not commin-
24 gle the moneys of such fund with any moneys held in trust by the corpo-
25 ration, except for investment purposes.

26 (3) Micro-loan program. (a) For the purposes of this subdivision
27 "micro-loan" shall mean a loan of under seven thousand five hundred
28 dollars.

29 (b) The corporation shall, pursuant to requests for proposals, enter
30 into agreements for other types of locally, regionally or community-ad-
31 ministered loan programs than those set forth in subdivision two of this
32 section, including micro-loan programs to be administered by local
33 development corporations, local industrial development organizations,
34 municipalities and not-for-profit organizations, to provide micro-loans
35 to small and high risk certified service-disabled veteran-owned business
36 enterprises located within their respective service areas, provided that
37 loan review committees are established by such administering entity,
38 including service-disabled veterans, as defined in article seventeen-B
39 of the executive law, experienced in business management, business
40 development, commercial lending, entrepreneurship, or in the operation
41 of a for-profit business.

42 (c) Agreements entered into pursuant to paragraph (b) of this subdivi-
43 sion shall be governed by paragraphs (d), (e), (f), (g) and (h) of
44 subdivision two of this section, and certified service-disabled veter-
45 an-owned business enterprise revolving loan trust fund accounts and
46 administrative expenses trust fund accounts shall be established in a
47 similar fashion for entities selected to administer micro-loan funds
48 pursuant to this subdivision.

49 (4) Certified service-disabled veteran-owned business enterprise
50 contracting program. For the purpose of establishing a comprehensive
51 program to assist certified service-disabled veteran-owned business
52 enterprise contractors, the corporation may provide loans, loan guaran-
53 tees, technical assistance and bonding assistance, the corporation may
54 enter into cooperative agreements with cities, counties, municipalities,
55 authorities, agencies, federally and state chartered credit unions in

1 the state and federally insured banking organizations and financial
2 institutions for such purposes.

3 (a) To be eligible for a contractor loan, the borrower must have
4 either:

5 (i) a construction contract with, or a contract to provide goods or
6 services to, a governmental entity or authority;

7 (ii) a subcontract on a government-sponsored construction contract;

8 (iii) a contract or subcontract on a government sponsored residential
9 project; or

10 (iv) a contract or subcontract on a construction project previously
11 approved by the corporation pursuant to section ten of this act.

12 (b) The corporation shall provide technical assistance specifically
13 oriented to certified service-disabled veteran-owned business enterprise
14 government contractors as part of its comprehensive technical assistance
15 program.

16 (c) The corporation is authorized to provide assistance through the
17 creation of, or assistance to, a certified service-disabled veteran-
18 owned business enterprise bonding guarantee program to enable certified
19 service-disabled veteran-owned business enterprise contractors and
20 subcontractors to meet payment or performance bonding requirements.

21 (i) Through such program, assistance in the form of working capital
22 loans and loan guarantees pursuant to subdivision six of this section
23 may also be provided to certified service-disabled veteran-owned busi-
24 ness enterprise contractors and subcontractors who have secured
25 contracts by participating in the program.

26 (ii) The corporation shall either establish criteria for the bonding
27 guarantee program and for any required escrow funds which shall include
28 detailed provisions for eligibility; or if the corporation is providing
29 assistance to a program other than one established by the corporation,
30 review and approve the criteria established for such other program.

31 (5) Direct financial assistance for certified service-disabled veter-
32 an-owned business enterprises. For the purpose of establishing a program
33 to provide direct financial assistance to certified service-disabled
34 veteran-owned business enterprises, the corporation is authorized to
35 provide assistance in the form of:

36 (a) Business development loans and loan guarantees pursuant to subdi-
37 vision six of this section to eligible enterprises for the acquisition
38 or improvement of real property, machinery, equipment or working capi-
39 tal, provided that to be eligible for a business development loan, the
40 borrowers must have been in business for at least three years and
41 provided that the loans must be in an amount equal to or in excess of
42 fifty thousand dollars;

43 (b) Franchise loans to eligible enterprises seeking to acquire or
44 expand franchises of nationally recognized corporations, provided that
45 disbursements by the corporation of such loans shall be conditioned on
46 obtaining such franchises;

47 (c) Equity assistance for eligible certified service-disabled veter-
48 an-owned business enterprises to match equity contributions to such
49 enterprises by financial institutions and community development equity
50 capital funds, provided, however, that such assistance shall be targeted
51 to start-up and early stage enterprises in the manufacturing, retail and
52 service sectors located in economically distressed areas.

53 (6) Deposits and loan guarantees. For the purpose of encouraging
54 private financial institutions to make loans to eligible enterprises
55 pursuant to this section for any of the eligible projects pursuant to

1 subdivisions four and five of this section, the corporation is author-
2 ized to:

3 (a) Make linked deposits of funds into federally and state chartered
4 credit unions in the state, in order to encourage such organizations to
5 make small loans to certified service-disabled veteran-owned business
6 enterprises; and

7 (b) Provide loan guarantees to private financial institutions for
8 loans made to eligible certified service-disabled veteran-owned business
9 enterprises pursuant to this subdivision for eligible projects, provided
10 that the guarantee shall be at least fifty percent backed by funds of
11 the corporation. Any such loan guaranteed by the corporation shall be
12 made to borrowers that are approved by the corporation and substantially
13 meet the underwriting criteria the credit union or financial institution
14 customarily applies to similar borrowers for similar loans supported by
15 similar guarantees, and no guaranteed loan funds shall be disbursed
16 until the corporation has received, reviewed and concurred, in writing,
17 with the recommendation of the credit union or banking or financial
18 institution to make a loan.

19 (7) Certified service-disabled veteran-owned business enterprise small
20 business incubator program. (a) The corporation shall establish a certi-
21 fied service-disabled veteran-owned business enterprise small business
22 incubator program for the purpose of providing financial support for the
23 creation of incubators to nurture certified service-disabled veteran-
24 owned business enterprises with growth potential.

25 (b) Under this subdivision the corporation is authorized to provide
26 low-interest loans and grants for construction financing and permanent
27 financing of up to seventy-five percent of project costs up to a maximum
28 of six hundred fifty thousand dollars per project, provided that the
29 total amount of grant assistance provided pursuant to this paragraph
30 shall not exceed twenty percent of an appropriation provided for the
31 purposes of this section.

32 (c) Incubator projects eligible for such assistance shall involve the
33 renovation or reconstruction of existing facilities or the acquisition
34 of equipment, except that construction shall be allowable in cases in
35 which an applicant can demonstrate to the satisfaction of the corpo-
36 ration that an existing facility is unavailable in the area to be served
37 by the new incubator facility.

38 (d) Incubator projects are not eligible to receive loans for the
39 purpose of covering operating costs or supplying incubator support
40 services, except that incubators in their first eighteen months of oper-
41 ation may receive one-time grants not to exceed forty thousand dollars,
42 which costs may include administrative costs of employing a resident
43 administrator/advisor to the incubator, provided that the corporation
44 shall not expend a sum greater than two hundred fifty thousand dollars
45 in any one state fiscal year, or so much as may be specifically appro-
46 riated for this purpose.

47 (e) Eligible incubator projects shall be required to demonstrate to
48 the corporation's satisfaction:

49 (i) public or private support and involvement sufficient to complete
50 the renovation of existing facilities or the construction of new facili-
51 ties and the acquisition of equipment;

52 (ii) significant community support for the project;

53 (iii) the existence of prospective tenants for such incubator space;

54 (iv) demand for such incubator space, which may include evidence of
55 the unavailability of suitable space for prospective tenants at appro-

1 priate rental or lease costs in the community in which such prospective
2 tenants are located; and

3 (v) the inability of the project to occur without financial assistance
4 from the corporation.

5 (f) The corporation shall establish criteria for eligibility for fund-
6 ing for incubator projects, including but not limited to the following:

7 (i) the project must be designed to provide low-cost space and support
8 services to incubator tenants, coordination with other sources of
9 assistance and flexible leasing arrangements for tenants;

10 (ii) the project sponsors must provide a management plan and a busi-
11 ness plan for operating the incubator satisfactory to the corporation;
12 and

13 (iii) the project gives preference for incubator space and assistance
14 to certified service-disabled veteran-owned business enterprises which
15 currently receive, or have received, assistance from the corporation
16 pursuant to this section and to incubator projects proposed to be
17 located in economically distressed areas.

18 (8) Certified service-disabled veteran-owned business enterprise tech-
19 nical assistance program. (a) The corporation shall establish a compre-
20 hensive technical assistance program within the certified service-disa-
21 bled veteran-owned business enterprise development office to provide
22 technical assistance to certified service-disabled veteran-owned busi-
23 ness enterprises through third party service providers, which assistance
24 shall include, but not be limited to: (i) technical assistance in devel-
25 opment and execution of business plans, including the formation of,
26 acquisition of, management of, or diversification of a certified
27 service-disabled veteran-owned business enterprise; (ii) technical
28 assistance with applications for obtaining funds from public and private
29 financing sources; (iii) technical assistance in the development of a
30 working capital budget; (iv) referrals to other providers of technical
31 assistance to certified service-disabled veteran-owned business enter-
32 prises and certified service-disabled veteran-owned business enterprise
33 entrepreneurs, where appropriate, including the entrepreneurial assist-
34 ance program established pursuant to article nine of the economic devel-
35 opment law; and (v) technical assistance through education programs
36 directed primarily at certified service-disabled veteran-owned business
37 enterprise entrepreneurs.

38 (b) Technical assistance may be provided through direct corporate
39 support, through grants to or contracts with service providers or
40 governmental entities, and certified service-disabled veteran-owned
41 business enterprises.

42 (9) Priorities. The corporation shall give priority to applications
43 for assistance pursuant to this section in which the business seeking
44 such assistance indicates a commitment to first consider persons eligi-
45 ble to participate in federal job training partnership act (P.L. 97-300)
46 programs.

47 (10) Non-application of certain provisions. The provisions of section
48 ten and subdivision two of section sixteen of this act shall not apply
49 to assistance or projects authorized pursuant to this section.

50 (11) Rules and regulations. The corporation shall, assisted by the
51 commissioner of economic development and in consultation with the
52 department of economic development, promulgate rules and regulations in
53 accordance with the state administrative procedure act. Such rules and
54 regulations shall be consistent with the program plan required by subdi-
55 vision nineteen of section one hundred of the economic development law.
56 No funds shall be disbursed under this program until such rules and

1 regulations have been reviewed and approved by the corporation. All
2 assistance and projects funded under this program shall be funded in
3 accordance with the rules and regulations in effect on the date the
4 completed application for such assistance shall be received by the
5 corporation.

6 (12) Certified service-disabled veteran-owned business enterprise
7 development and lending account. Notwithstanding any provision of law to
8 the contrary, the corporation shall establish within the treasury of the
9 corporation a certified service-disabled veteran-owned business enter-
10 prise development and lending account, and shall pay into such account
11 any moneys which may be made available to the corporation for this
12 purpose from any source including, but not limited to, moneys appropri-
13 ated by the state and any repayment of principal and interest on loans
14 made by the corporation pursuant to the certified service-disabled
15 veteran-owned business enterprise development and lending program. Funds
16 in the certified service-disabled veteran-owned business enterprise
17 development and lending account, including funds from the repayment of
18 principal and interest on loans made by the corporation, may be used for
19 any form of assistance authorized pursuant to this section. The amounts
20 deposited in the certified service-disabled veteran-owned business
21 enterprise development and lending account may not be interchanged with
22 any other account, but may be commingled with any other account for
23 investment purposes. All loans disbursed by the corporation shall be
24 repaid into the account. The corporation shall enter into a written
25 agreement with the director of the budget for repayment, to the state
26 comptroller to the credit of the capital projects fund, of all moneys in
27 the account after a period of time to be determined by the corporation
28 and the director of the budget. The corporation shall transfer to the
29 certified service-disabled veteran-owned business enterprise development
30 and lending account: all moneys appropriated or reappropriated by New
31 York state for the certified service-disabled veteran-owned business
32 enterprise revolving loan trust fund that have not been committed prior
33 to the effective date of the appropriation for the program in the
34 current fiscal year, or become uncommitted subsequent to the effective
35 date of the program's appropriation for the current fiscal year; and all
36 repayments of principal and interest on loans made by the corporation
37 which are currently on deposit in, or payable to, the certified
38 service-disabled veteran-owned business enterprise development and lend-
39 ing account.

40 (13) Standardization. The corporation shall streamline the review and
41 approval process for projects and wherever possible standardize all
42 relevant attendant documentation and legal documents.

43 (14) Approval cycle. The corporation shall approve eligible loans or
44 grants on at least a four-month cycle and shall give priority consider-
45 ation to the comparative degree of economic distress within the areas in
46 which the project is located. Other factors to be considered by the
47 corporation shall include the impact of the project on the employment
48 and economic condition of the community and the financial feasibility of
49 the project.

50 (15) Repayment. Notwithstanding the provisions of section forty-a of
51 the state finance law and any other general or special law, no written
52 agreement under this program shall require repayment at any time or on
53 any terms inconsistent with the provisions of this act or the New York
54 state project finance agency act; except, however, that the corporation
55 may make grants to projects using funds appropriated for this purpose
56 and that the repayment provision may not apply to such grants.

1 (16) Reports. The chairman of the corporation shall submit to the
2 director of the budget, the speaker of the assembly and the temporary
3 president of the senate an evaluation of the effectiveness of the
4 program prepared by an entity independent of the corporation. The corpo-
5 ration shall select the program evaluator through a request for proposal
6 process. Such evaluation shall determine whether the assistance provided
7 has enhanced the economic condition of assisted companies or communi-
8 ties, and shall make recommendation for improvements which would make
9 the program more effective. Such evaluation shall be submitted by
10 September first, two thousand twenty and September first every two years
11 thereafter.

12 § 2. Subdivision 1 of section 210 of the economic development law, as
13 amended by section 1 of part DD of chapter 55 of the laws of 2014, is
14 amended and a new subdivision 7 is added to read as follows:

15 1. "Development centers" shall mean the business enterprise develop-
16 ment centers which provide assistance to primarily minority group
17 members, women, individuals with a disability, certified service-disa-
18 bled veteran-owned business enterprises and veterans as established by
19 the department pursuant to section two hundred eleven of this article.

20 7. "Certified service-disabled veteran-owned business enterprise"
21 shall mean a business enterprise, certified pursuant to article seven-
22 teen-B of the executive law.

23 § 3. Subdivision 1 and paragraph (d) of subdivision 3 of section 211
24 of the economic development law, subdivision 1 as amended by section 3
25 of part DD of chapter 55 of the laws of 2014 and paragraph (d) of subdi-
26 vision 3 as amended by chapter 227 of the laws of 1993, are amended to
27 read as follows:

28 1. The department shall provide grants, within available appropri-
29 ations, on a competitive basis, in response to a request for proposals
30 to pilot development centers, to provide intensive community-based
31 management and technical assistance targeted primarily to minority group
32 members, women, individuals with a disability, certified service-disa-
33 bled veteran-owned business enterprises and veterans who are seeking to
34 start or are starting new business ventures.

35 (d) establish an advisory group of community business experts, at
36 least one-half of whom shall be representative of the clientele to be
37 served by the center, which shall constitute a support network to
38 provide counseling and mentoring services to minority group members,
39 women, veterans and individuals with a disability from the concept stage
40 of development through the first one to two years of existence on a
41 regular basis and as needed thereafter during the first five years of a
42 new venture; and

43 § 4. This act shall take effect one year after it shall have become a
44 law.