

STATE OF NEW YORK

10456

IN ASSEMBLY

April 23, 2018

Introduced by M. of A. BICHOTTE -- read once and referred to the Committee on Governmental Operations

AN ACT to amend the executive law, in relation to establishing employment goals for minority-owned and women-owned businesses in accordance with the provisions of the most recent disparity study

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

Section 1. Subdivision 21 of section 310 of the executive law, as added by chapter 175 of the laws of 2010, is amended to read as follows:

21. "The [~~2010~~] disparity study" shall refer to the most recent disparity study commissioned by the empire state development corporation, pursuant to section three hundred twelve-a of this article, and published on [~~April twenty-nine, two thousand ten~~] June thirtieth, two thousand seventeen.

§ 2. Subdivisions 1, 1-a and 1-b of section 313 of the executive law, subdivision 1 as amended and subdivision 1-a and 1-b as added by chapter 175 of the laws of 2010, are amended to read as follows:

1. Goals and requirements for agencies and contractors. Each agency shall structure procurement procedures for contracts made directly or indirectly to minority and women-owned business enterprises, in accordance with the findings of the [~~two thousand ten~~] most recent disparity study, consistent with the purposes of this article, to attempt to achieve the [~~following~~] results recommended in the disparity study with regard to total annual statewide procurement for the following categories of contracts:

(a) construction industry for certified minority-owned business enterprises[~~:- fourteen and thirty-four hundredths percent~~];

(b) construction industry for certified women-owned business enterprises[~~:- eight and forty-one hundredths percent~~];

(c) construction related professional services industry for certified minority-owned business enterprises[~~:- thirteen and twenty-one hundredths percent~~];

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

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(d) construction related professional services industry for certified women-owned business enterprises[~~:- eleven and thirty two hundredths percent~~];

(e) non-construction related services industry for certified minority-owned business enterprises[~~:- nineteen and sixty hundredths percent~~];

(f) non-construction related services industry for certified women-owned business enterprises[~~:- seventeen and forty four hundredths percent~~];

(g) commodities industry for certified minority-owned business enterprises[~~:- sixteen and eleven hundredths percent~~];

(h) commodities industry for certified women-owned business enterprises[~~:- ten and ninety three hundredths percent~~];

(i) overall agency total dollar value of procurement for certified minority-owned business enterprises[~~:- sixteen and fifty three hundredths percent~~];

(j) overall agency total dollar value of procurement for certified women-owned business enterprises[~~:- twelve and thirty nine hundredths percent~~]; and

(k) overall agency total dollar value of procurement for certified minority, women-owned business enterprises[~~:- twenty eight and ninety two hundredths percent~~].

1-a. The director shall ensure that each state agency has been provided with a copy of the [~~two thousand ten~~] most recent disparity study.

1-b. Each agency shall develop and adopt agency-specific goals based on the findings of the [~~two thousand ten~~] most recent disparity study.

§ 3. This act shall take effect immediately; provided, however, that the amendments to article 15-A of the executive law, made by sections one and two of this act, shall not affect the repeal of such article and shall be deemed repealed therewith.