

# STATE OF NEW YORK

S. 4046

A. 4253

2017-2018 Regular Sessions

## SENATE - ASSEMBLY

February 2, 2017

IN SENATE -- Introduced by Sen. LAVALLE -- read twice and ordered printed, and when printed to be committed to the Committee on Corporations, Authorities and Commissions

IN ASSEMBLY -- Introduced by M. of A. THIELE -- read once and referred to the Committee on Small Business

AN ACT to amend the New York state urban development corporation act, in relation to the regional revolving loan program

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

1 Section 1. Section 16-a of section 1 of chapter 174 of the laws of  
2 1968, constituting the New York state urban development corporation act,  
3 is amended by adding a new subdivision 3-a to read as follows:

4 (3-a) Notwithstanding subdivision three of this section, where appli-  
5 cable, the corporation is authorized to enter into agreements as may be  
6 necessary for the administration and reporting of funds repaid,  
7 received, expended or collected in a manner consistent with the  
8 provisions in section sixteen-t of this act. The use of such funds by  
9 the corporation shall be consistent with the terms, conditions and  
10 restrictions set forth in subdivision four of this section, to provide  
11 financial assistance to eligible regional corporations as defined in  
12 subdivision eighteen of section three of this act. Outstanding  
13 expenses, loans and other obligations executed prior to the effective  
14 date of this subdivision shall be subject to the terms and conditions of  
15 the original contract or contracts.

16 § 2. Subdivision 20 of section 16-a of section 1 of chapter 174 of the  
17 laws of 1968, constituting the New York state urban development corpo-  
18 ration act, as amended by chapter 524 of the laws of 2005, is amended to  
19 read as follows:

20 (20) Reporting. (a) The lending organization shall submit to the  
21 corporation annual reports stating: the number of program loans made;

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

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1 the amount of program funding used for loans; the use of loan proceeds  
2 by the borrower; the number of jobs created or retained; a description  
3 of the economic development generated; the status of each outstanding  
4 program loan, including fund balance; and such other information as the  
5 corporation may require.

6 (b) The corporation shall, on or before October 1, 1988 and on or  
7 before each October first thereafter, submit a report to the governor  
8 and the legislature on the operations and accomplishments of the  
9 regional revolving loan program. Such report shall include a summary of  
10 the information contained in the reports submitted pursuant to subdivi-  
11 sion sixteen of this section and of the results of the audits performed  
12 by the corporation pursuant to subdivision nineteen of this section, and  
13 shall set forth the status of the regional revolving loan program for  
14 the previous fiscal year, including grants to the regional corporations,  
15 earnings and account balances as reported to the corporation. The report  
16 to be submitted on October 1, 2005 and on or before each October first  
17 thereafter shall be consolidated with the annual program report of the  
18 corporation required under the provisions of subdivision (b) of section  
19 thirty of this act, as amended.

20 (c) Beginning January 1, 2018, notwithstanding any law to the contra-  
21 ry, the corporation shall publish on its website annual reports required  
22 under paragraphs (a) and (b) of this subdivision.

23 § 3. Subdivision 2 of section 16-c of section 1 of chapter 174 of the  
24 laws of 1968, constituting the New York state urban development corpo-  
25 ration act, is amended by adding a new paragraph (i) to read as follows:

26 (i) Notwithstanding any other provisions of this subdivision, where  
27 applicable, the corporation is authorized to enter into agreements as  
28 may be necessary for the administration and reporting of funds repaid,  
29 received, expended or collected in a manner consistent with the  
30 provisions in section sixteen-t of this act. The use of such funds by  
31 the corporation shall be consistent with the terms, conditions and  
32 restrictions set forth under this subdivision, to provide financial  
33 assistance to eligible businesses as defined in subdivisions three and  
34 five of section two hundred ten of the economic development law.  
35 Outstanding expenses, loans and other obligations executed prior to the  
36 effective date of this paragraph shall be subject to the terms and  
37 conditions of the original contract or contracts.

38 (i) The lending organization shall submit to the corporation annual  
39 reports stating: the number of program loans made; the amount of program  
40 funding used for loans; the use of loan proceeds by the borrower; the  
41 number of jobs created or retained; a description of the economic devel-  
42 opment generated; the status of each outstanding program loan, including  
43 fund balance; and such other information as the corporation may require.

44 (ii) Beginning January 1, 2018, notwithstanding any law to the contra-  
45 ry, the corporation shall publish on its website annual reports required  
46 under subparagraph (i) of this paragraph.

47 § 4. Subdivision 3 of section 16-c of section 1 of chapter 174 of the  
48 laws of 1968 constituting the New York state urban development corpo-  
49 ration act, is amended by adding two new paragraphs (d) and (e) to read  
50 as follows:

51 (d) Notwithstanding any other provisions of this subdivision, where  
52 applicable, the corporation is authorized to enter into agreements as  
53 may be necessary for the administration and reporting of funds repaid,  
54 received, expended or collected in a manner consistent with the  
55 provisions in section sixteen-t of this act. The use of such funds by  
56 the corporation shall be consistent with the terms, conditions and

restrictions set forth under this subdivision, to provide financial assistance to eligible businesses as defined in subdivisions three and five of section two hundred ten of the economic development law. Outstanding expenses, loans and other obligations executed prior to the effective date of this paragraph shall be subject to the terms and conditions of the original contract or contracts.

(e)(i) The lending organization shall submit to the corporation annual reports stating: the number of program loans made; the amount of program funding used for loans; the use of loan proceeds by the borrower; the number of jobs created or retained; a description of the economic development generated; the status of each outstanding program loan, including fund balance; and such other information as the corporation may require.

(ii) Beginning January 1, 2018, notwithstanding any law to the contrary, the corporation shall publish on its website annual reports required under subparagraph (i) of this paragraph.

§ 5. Subdivision 8 of section 16-d of section 1 of chapter 174 of the laws of 1968, constituting the New York state urban development corporation act, is amended by adding two new paragraphs (g-1) and (k-1) to read as follows:

(g-1) Notwithstanding any other provision in this subdivision, where applicable, the corporation is authorized to enter into agreements as may be necessary for the administration and reporting of funds repaid, received, expended or collected in a manner consistent with the provisions in section sixteen-t of this act. The use of such funds by the corporation shall be consistent with the terms, conditions and restrictions set forth in this section, to provide financial assistance to eligible entities as designated under this subdivision. Outstanding expenses, loans and other obligations executed prior to the effective date of this paragraph shall be subject to the terms and conditions of the original contract or contracts.

(k-1) Notwithstanding any other provision in this subdivision, where applicable, the corporation is authorized to enter into agreements as may be necessary for the administration and reporting of funds repaid, received, expended or collected in a manner consistent with the provisions in section sixteen-t of this act. The use of such funds by the corporation shall be consistent with the terms, conditions and restrictions set forth in this section, to provide financial assistance to eligible entities as designated under this subdivision. Outstanding expenses, loans and other obligations executed prior to the effective date of this paragraph shall be subject to the terms and conditions of the original contract or contracts.

§ 6. Subdivision 14 of section 16-d of 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 paragraph (c) to read as follows:

(c) (i) The lending organization shall submit to the corporation annual reports stating: the number of program loans made; the amount of program funding used for loans; the use of loan proceeds by the borrower; the number of jobs created or retained; a description of the economic development generated; the status of each outstanding program loan, including fund balance; and such other information as the corporation may require.

(ii) Beginning January 1, 2018, notwithstanding any law to the contrary, the corporation shall publish on its website annual reports required under this paragraph and paragraphs (a) and (b) of this subdivision.

§ 7. Subdivision 14 of section 16-t of section 1 of chapter 174 of the laws of 1968, constituting the New York state urban development corpo-

1 ration act, as amended by section 1 of part II of chapter 59 of the laws  
2 of 2013, is amended and a new subdivision 14-a is added to read as  
3 follows:

4 14. The lending organization shall submit to the corporation annual  
5 reports stating: the number of program loans made; the amount of program  
6 funding used for loans; the use of loan proceeds by the borrower; the  
7 number of jobs created or retained; a description of the economic devel-  
8 opment generated; the status of each outstanding program loan, including  
9 fund balance; and such other information as the corporation may require.

10 14-a. Beginning January 1, 2018, notwithstanding any law to the  
11 contrary, the corporation shall publish on its website annual reports  
12 required under subdivision fourteen of this section.

13 § 8. This act shall take effect immediately.