STATE OF NEW YORK

9038

IN SENATE

October 9, 2020

Introduced by Sens. KAPLAN, SANDERS -- read twice and ordered printed, and when printed to be committed to the Committee on Rules

AN ACT to amend the executive law, in relation to changing the maximum number of employees that a minority and women-owned business enterprise may have from three hundred employees to three hundred employees who work thirty or more hours per week

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

Section 1. Subdivision 20 of section 310 of the executive law, as added by chapter 175 of the laws of 2010, is amended to read as follows:

20. "Small business" as used in this section, unless otherwise indicated, shall mean a business which has a significant business presence in the state, is independently owned and operated, not dominant in its field and employs, based on its industry, a certain number of persons as determined by the director, but not to exceed three hundred **employees who work thirty or more hours per week, on average over the period of fifty-two weeks**, taking into consideration factors which include, but are not limited to, federal small business administration standards pursuant to 13 CFR part 121 and any amendments thereto. The director may issue regulations on the construction of the terms in this definition.

§ 2. This act shall take effect immediately; provided that the amendments to subdivision 20 of section 310 of the executive law made by section one of this act shall not affect the repeal of such section and shall be deemed repealed therewith.

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

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