

STATE OF NEW YORK

2427

2019-2020 Regular Sessions

IN ASSEMBLY

January 22, 2019

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]~~;

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

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

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

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

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

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

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

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

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

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

25 1-a. The director shall ensure that each state agency has been
26 provided with a copy of the [~~two thousand ten~~] most recent disparity
27 study.

28 1-b. Each agency shall develop and adopt agency-specific goals based
29 on the findings of the [~~two thousand ten~~] most recent disparity study.

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