

# STATE OF NEW YORK

8679

## IN ASSEMBLY

January 10, 2022

Introduced by M. of A. KIM -- read once and referred to the Committee on Corporations, Authorities and Commissions

AN ACT to amend the not-for-profit corporation law, in relation to requiring not-for-profit corporations to submit a questionnaire on pending wage dispute claims prior to receiving state funding

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

1 Section 1. Paragraph (g) of section 202 of the not-for-profit corpo-  
2 ration law, as amended by section 33 of part AA of chapter 56 of the  
3 laws of 2019, is amended to read as follows:

4 (g) (1) Every corporation receiving any kind of state funding shall  
5 ensure the provision on any form required to be completed at application  
6 or recertification for the purpose of obtaining financial assistance  
7 pursuant to this chapter, that the application form shall contain a  
8 check-off question asking whether the applicant or recipient or a member  
9 of his or her family served in the United States military, and an option  
10 to answer in the affirmative. Where the applicant or recipient answers  
11 in the affirmative to such question, the not-for-profit corporation  
12 shall ensure that contact information for the state division of veter-  
13 ans' services is provided to such applicant or recipient in addition to  
14 any other materials provided.

15 (2) Such application shall also include screening questions developed  
16 by the department of state on whether the corporation has any pending  
17 wage dispute claims against any employee of such corporation. The  
18 department of state shall request and confirm with the department of  
19 labor that every corporation who submits an application pursuant to this  
20 paragraph has no open or pending cases of wage theft or wage disputes  
21 with such corporation's employees. If an applicant company has an open  
22 or pending case of wage theft or wage disputes with any employee of  
23 such company, such applicant company shall be denied state funding or  
24 any other financial assistance pursuant to this chapter.

25 § 2. This act shall take effect immediately.

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

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