STATE OF NEW YORK

6642--A

2021-2022 Regular Sessions

IN SENATE

May 11, 2021

Introduced by Sens. KAPLAN, HELMING, MARTUCCI -- read twice and ordered printed, and when printed to be committed to the Committee on Commerce, Economic Development and Small Business -- reported favorably from said committee and committed to the Committee on Finance -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the executive law, in relation to a report by the division for small business; and to amend chapter 731 of the laws of 2019 amending the executive law relating to regulatory fines for small businesses, in relation to the effectiveness thereof

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

Section 1. Section 170-c of the executive law is amended by adding a new subdivision 4 to read as follows:

4. Every state agency shall provide to the division for small business, created pursuant to section one hundred thirty-two of the economic development law, the following information covering the previous calendar year, annually by March first following the effective date of this subdivision, and every March first thereafter: (a) how many cure periods or other opportunities for ameliorative action were offered pursuant to subdivision one of this section and how many small businesses made use of such options, (b) how many cure periods and other opportunities for ameliorative action were successfully completed and resulted in the avoidance of a penalty, (c) what guidance, information, and assistance with compliance was provided to small businesses pursuant to subdivision one of this section, and (d) the average length of time granted by the state agency to correct first time violations. The division for small business shall by May first following the effective date of this subdivision, and every May first thereafter, prepare a report compiling this information, by agency, and shall post this report on its website and

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

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shall provide a copy of such report to the governor, the speaker of the assembly and the temporary president of the senate.

§ 2. Section 2 of chapter 731 of the laws of 2019 amending the executive law relating to regulatory fines for small businesses, as amended by section 2 of subpart B of part XX of chapter 55 of the laws of 2020, is amended to read as follows:

§ 2. This act shall take effect immediately and shall expire and be deemed repealed [~~two years after such date~~] **December 20, 2024**.

§ 3. This act shall take effect immediately; provided, however, that section one of this act shall take effect one year after it shall have become a law provided, however, that the amendments to section 170-c of the executive law as made by section one of this act shall not affect the expiration of such section and shall be deemed to expire therewith.