

STATE OF NEW YORK

541

2021-2022 Regular Sessions

IN SENATE

(Prefiled)

January 6, 2021

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

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:

1 Section 1. Subdivision 20 of section 310 of the executive law, as
2 added by chapter 175 of the laws of 2010, is amended to read as follows:
3 20. "Small business" as used in this section, unless otherwise indi-
4 cated, shall mean a business which has a significant business presence
5 in the state, is independently owned and operated, not dominant in its
6 field and employs, based on its industry, a certain number of persons as
7 determined by the director, but not to exceed three hundred employees
8 who work thirty or more hours per week, on average over the period of
9 fifty-two weeks, taking into consideration factors which include, but
10 are not limited to, federal small business administration standards
11 pursuant to 13 CFR part 121 and any amendments thereto. The director may
12 issue regulations on the construction of the terms in this definition.
13 § 2. This act shall take effect immediately; provided that the amend-
14 ments to subdivision 20 of section 310 of the executive law made by
15 section one of this act shall not affect the repeal of such section and
16 shall be deemed repealed therewith.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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