

# STATE OF NEW YORK

8406

## IN SENATE

February 23, 2022

Introduced by Sen. HELMING -- read twice and ordered printed, and when printed to be committed to the Committee on Commerce, Economic Development and Small Business

AN ACT to amend the economic development law, in relation to establishing the New York first--shop local program

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

1 Section 1. Section 100 of the economic development law is amended by  
2 adding a new subdivision 18-j to read as follows:

3 18-j. to establish, in cooperation with the urban development corpo-  
4 ration, a program to promote local businesses and industries in the  
5 state in a manner consistent with the provisions of article five-G of  
6 this chapter.

7 § 2. The economic development law is amended by adding a new article  
8 5-G to read as follows:

### ARTICLE 5-G

#### NEW YORK FIRST--SHOP LOCAL PROGRAM

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10  
11 Section 181-h. Legislative findings and intent.

12 181-i. Definitions.

13 181-j. New York first--shop local program.

14 181-k. Application process.

15 181-l. New York first--shop local program grants.

16 181-m. Reporting requirements.

17 181-n. Assistance of other state agencies.

18 181-o. Functions, powers and duties of other departments and  
19 state agencies.

20 § 181-h. Legislative findings and intent. The legislature seeks to  
21 provide immediate assistance to small businesses impacted by the COVID-  
22 19 outbreak. The state relies on small businesses to stabilize local tax  
23 bases, support community and charitable organizations and grow our econ-  
24 omy. The legislature needs to support these "mom and pop" businesses to  
25 help them get back up and running. To support this initiative, we are  
26 directing the department to provide marketing and business assistance  
27 grants to allow not-for-profit organizations, associations, munici-

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

LBD08054-01-1

1 palities, public benefits corporations and for-profit companies to high-  
2 light all the great products and services our local communities have to  
3 offer. Supporting local initiatives keeps more money in the community,  
4 sustains local jobs, strengthens the economy, improves quality of life  
5 and enhances customer service. By shopping at a locally-owned business  
6 rather than international retailers, consumers can have a direct impact  
7 in their community's recovery. The New York first--shop local program  
8 will support marketing campaigns and social media strategies as well as  
9 provide valuable business assistance, including search engine optimiza-  
10 tion. This program will help to bridge the digital divide and encourage  
11 new and existing customers to buy local.

12 § 181-i. Definitions. As used in this article, the following terms  
13 shall have the following meanings:

14 1. "Eligible applicants" include not-for-profit organizations, associ-  
15 ations, municipalities, public benefits corporations and for-profit  
16 companies. Eligible projects shall focus on local communities in New  
17 York state.

18 2. "Eligible projects" include, but are not limited to, print, broad-  
19 cast or electronic media campaigns, conferences, publications, documen-  
20 tary productions, instructional materials, and public exhibitions. In  
21 addition, eligible projects may include consulting services on markets,  
22 customers, and competitors, business databases, geographic information  
23 systems, internet and social media strategies, business to business  
24 referrals, and search engine optimization.

25 § 181-j. New York first--shop local program. 1. There is hereby  
26 created within the department the New York first--shop local program.  
27 Such program shall identify eligible applicants and projects that  
28 promote local products and services by providing marketing and business  
29 assistance services.

30 2. The commissioner shall conduct a public outreach campaign to inform  
31 the public of the creation of the program and encourage eligible enti-  
32 ties to apply. All program information shall be made publicly available  
33 and shall be posted on the department website.

34 § 181-k. Application process. 1. The commissioner shall, within thirty  
35 days of the effective date of this section, issue a request for  
36 proposals for the New York first--shop local program that shall include,  
37 but not be limited to, the objectives of the program and the scoring  
38 criteria that shall be used and applied for selection.

39 2. Applications shall include the schedule, budget, scope, and uses of  
40 marketing funds as well as any additional business assistance services.  
41 Applications shall identify the specific targets and audiences for such  
42 marketing programs, the geographic reach of the program and shall iden-  
43 tify appropriate and practical ways to measure the economic impact of  
44 the program.

45 § 181-l. New York first--shop local program grants. 1. The department  
46 shall, within available appropriations, award grants to eligible enti-  
47 ties and organizations as set forth in this article on a competitive  
48 basis and in response to requests for proposals issued by the depart-  
49 ment. Grants shall not exceed ten thousand dollars per project.

50 2. Upon submission and approval of each application and the authori-  
51 zation of funds by the commissioner in accordance therewith, the commis-  
52 sioner shall give notice to the eligible applicant of such approval and  
53 authorization and remit such grant funding immediately. At such point,  
54 an approved applicant may proceed with its proposed business marketing  
55 and business assistance program as described in its application.

1 § 181-m. Reporting requirements. 1. Each funding recipient shall  
2 provide an annual financial statement prepared according to generally  
3 accepted accounting principles to the commissioner.

4 2. The department shall annually, on or before February first, submit  
5 to the governor, the temporary president of the senate, the speaker of  
6 the assembly, the minority leader of the senate and the minority leader  
7 of the assembly, a report on the activities of the New York first--shop  
8 local program. Such report shall include a summary of the financial  
9 statements received by the department from funded entities, a summary of  
10 activities conducted and analyses of the effectiveness of the program in  
11 stimulating economic growth, business retention and job creation.

12 § 181-n. Assistance of other state agencies. To effectuate the  
13 purposes of this article, the commissioner may request and shall be  
14 entitled to receive from any state agency, and the same are authorized  
15 to provide such assistance, service, facilities and data as will enable  
16 the program to carry out the functions, powers and duties provided by  
17 this article and such temporary or permanently assigned personnel as the  
18 director of the budget may approve.

19 § 181-o. Functions, powers and duties of other departments and state  
20 agencies. Nothing contained in this article shall be deemed to detract  
21 in any way from the functions, powers or duties prescribed by law of any  
22 department of the state or to interrupt or preclude the direct relation-  
23 ship of any such department or agency with other agencies, individuals  
24 or corporations for the carrying out of its functions, powers and  
25 duties.

26 § 3. Notwithstanding any other law, rule or regulation to the contra-  
27 ry, the executive is hereby authorized to repurpose all monies of the  
28 department of economic development and New York state urban development  
29 corporation to fully fund programs created by this act.

30 § 4. This act shall take effect immediately.