STATE OF NEW YORK

1768

2023-2024 Regular Sessions

IN SENATE

January 13, 2023

Introduced by Sen. CLEARE -- read twice and ordered printed, and when printed to be committed to the Committee on Procurement and Contracts

AN ACT to amend the executive law, in relation to requiring reporting on fraud regarding minority and women-owned business enterprises

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

Section 1. Paragraph (e) of subdivision 3 of section 311 of the executive law, as amended by chapter 55 of the laws of 1992, is amended to read as follows:

(e) on January first of each year report to the governor and the chairpersons of the senate finance and assembly ways and means committees on the level of minority and women-owned business enterprises participating in each agency's contracts for goods and services and on activities of the office and effort by each contracting agency to promote employment of minority group members and women, and to promote and increase participation by certified businesses with respect to state contracts and subcontracts so as to facilitate the award of a fair share of state contracts to such businesses. The comptroller shall assist the division in collecting information on the participation of certified business for each contracting agency. Such report may recommend new activities and programs to effectuate the purposes of this article**. Such report shall include a separate section detailing every instance of an entity fraudulently representing itself as a minority and women-owned business enterprise when it was not**;

§ 2. This act shall take effect immediately, provided, however that the amendments to section 311 of the executive law made by section one of this act shall not affect the repeal of such section and shall be deemed repealed therewith.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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