

# STATE OF NEW YORK

8139

## IN SENATE

January 9, 2024

Introduced by Sen. SANDERS -- 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 reciprocal minority and women-owned business enterprise certification

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

1 Section 1. Subdivision 2-a of section 314 of the executive law is  
2 amended by adding a new paragraph (d) to read as follows:

3 (d) Notwithstanding any other provision of law, the director and a  
4 city with a population greater than one million persons, acting through  
5 its mayor, may enter into a memorandum of understanding setting forth a  
6 procedure through which: (i) such city shall accept an applicant's state  
7 certification verification in lieu of requiring such applicant to  
8 complete such city's process for certification as a minority or women-  
9 owned business enterprise or meet the certification standards of such  
10 city's minority and women-owned business enterprise program; and (ii)  
11 the office shall accept an applicant's city certification verification  
12 in lieu of requiring an applicant to complete the process for certif-  
13 ication as a minority or women-owned business enterprise or meet the  
14 applicable certification standards set forth in this article; provided,  
15 however, that such memorandum of understanding may include one or more  
16 exceptions in circumstances where the director and such mayor determine  
17 that such exceptions would be in the best interests of both such city's  
18 program and the program established pursuant to this article. Nothing  
19 in this paragraph shall be construed to limit the director or such city  
20 from amending their respective processes or standards for certifying  
21 minority and women-owned business enterprises.

22 § 2. This act shall take effect on the two hundred seventieth day  
23 after it shall have become a law; provided, however, that the amendments  
24 to subdivision 2-a of section 314 of the executive law made by section  
25 one of this act shall not affect the repeal of article 15-A of the exec-  
26 utive law pursuant to chapter 261 of the laws of 1988, as amended, and  
27 shall be deemed repealed therewith.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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