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:

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

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

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of article 15-A of the executive law pursuant to chapter 261 of the laws of 1988, as amended, and shall be deemed repealed therewith.

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

LBD11217-01-3