

# STATE OF NEW YORK

8477

## IN SENATE

February 2, 2024

Introduced by Sen. GOUNARDES -- 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 additional duties and reporting requirements of the advisory panel on employee-owned enterprises; and to amend chapter 435 of the laws of 2017, amending the economic development law relating to establishing an advisory panel on employee-owned enterprises within the division of small business services, in relation to the effectiveness thereof

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

1 Section 1. Paragraphs (h) and (i) of subdivision 4 of section 139 of  
2 the economic development law are relettered paragraphs (k) and (l) and  
3 three new paragraphs (h), (i) and (j) are added to read as follows:

4 (h) evaluate barriers for employee-owned enterprises to be certified  
5 in the statewide certification program for minority and women-owned  
6 businesses as outlined in section three hundred fourteen of the execu-  
7 tive law and to participate in state agency contracts, and examine and  
8 identify changes to state laws, including article fifteen-A of the exec-  
9 utive law, which shall reduce barriers to certification and partic-  
10 ipation in the performance of state contracts;

11 (i) identify and recommend strategies that the director of the divi-  
12 sion of minority and women's business development, as defined by section  
13 three hundred eleven of the executive law, could implement to help  
14 employee-owned enterprises confirm their qualifications for the state  
15 certification program for minority and women-owned businesses, navigate  
16 the state certification process, and participate in state agency  
17 contracts;

18 (j) identify and recommend strategies, including those that the direc-  
19 tor of the division of minority and women's business development could  
20 implement, to facilitate the creation of employee-owned enterprises that  
21 promote the continuation of existing minority and women-owned businesses  
22 either as part of a pre-existing business succession of ownership plan  
23 or as an alternative option if a business is being offered for sale or

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

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1 transfer by the current owner or the heirs or estate of a deceased  
2 owner;

3 § 2. Subdivision 5 of section 139 of the economic development law, as  
4 amended by chapter 159 of the laws of 2023, is amended to read as  
5 follows:

6 5. Reporting. The advisory panel shall issue a report no later than  
7 June thirtieth, two thousand [~~twenty-four~~] twenty-five outlining the  
8 findings and recommendations of the panel. The report shall be delivered  
9 to the governor, the speaker of the assembly, the temporary president of  
10 the senate, the minority leader of the assembly, the minority leader of  
11 the senate, the chair of the assembly committee on ways and means, the  
12 chair of the senate committee on finance, the chair of the assembly  
13 committee on economic development, the chair of the assembly committee  
14 on small business, the chair of the senate committee on commerce,  
15 economic development, and small business, the chair of the assembly  
16 committee on labor, [~~and~~] the chair of the senate committee on labor,  
17 the chair of the select majority task force on minority and women-owned  
18 business enterprises, and the director of the division of minority and  
19 women's business development.

20 § 3. Section 2 of chapter 435 of the laws of 2017, amending the  
21 economic development law relating to establishing an advisory panel on  
22 employee-owned enterprises within the division of small business  
23 services, as amended by chapter 159 of the laws of 2023, is amended to  
24 read as follows:

25 § 2. This act shall take effect immediately and shall expire October  
26 1, [~~2024~~] 2025 when upon such date the provisions of this act shall be  
27 deemed repealed.

28 § 4. This act shall take effect immediately; provided that the amend-  
29 ments to subdivisions 4 and 5 of section 139 of the economic develop-  
30 ment law made by sections one and two of this act shall not affect the  
31 repeal of such section and shall be deemed repealed therewith.