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:

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

(h) evaluate barriers for employee-owned enterprises to be certified in the statewide certification program for minority and women-owned businesses as outlined in section three hundred fourteen of the executive law and to participate in state agency contracts, and examine and identify changes to state laws, including article fifteen-A of the executive law, which shall reduce barriers to certification and participation in the performance of state contracts;

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

(j) identify and recommend strategies, including those that the director of the division of minority and women's business development could implement, to facilitate the creation of employee-owned enterprises that promote the continuation of existing minority and women-owned businesses either as part of a pre-existing business succession of ownership plan 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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transfer by the current owner or the heirs or estate of a deceased owner;

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

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

§ 3. Section 2 of 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, as amended by chapter 159 of the laws of 2023, is amended to read as follows:

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

§ 4. This act shall take effect immediately; provided that the amendments to subdivisions 4 and 5 of section 139 of the economic development law made by sections one and two of this act shall not affect the repeal of such section and shall be deemed repealed therewith.