

STATE OF NEW YORK

4776

2023-2024 Regular Sessions

IN ASSEMBLY

February 23, 2023

Introduced by M. of A. PRETLOW -- read once and referred to the Committee on Local Governments

AN ACT to amend the general municipal law, in relation to allowing Westchester county to require bidders for public works, construction or purchase contracts to hire and retain persons residing in certain targeted communities

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

1 Section 1. The general municipal law is amended by adding a new
2 section 103-h to read as follows:

3 § 103-h. Contracts for public works in Westchester county; targeted
4 communities. 1. For the purposes of this section, a "targeted community"
5 shall mean any city, town, or village or census tract within a municipi-
6 pality, within a county where the combined average of the unemployment
7 rate and the poverty rate of such community is greater than the combined
8 countywide average of unemployment and poverty rate by ten percent.

9 2. Notwithstanding any provision of law, the county of Westchester may
10 require the lowest responsible bidder for all public works, construction
11 or purchase contracts to hire and retain persons residing in certain
12 targeted communities having the highest rates of unemployment within
13 such county.

14 3. The county may require that:

15 a. at least ten percent of the labor costs of construction contracts
16 awarded by the county be spent to hire persons residing in the targeted
17 communities within that county;

18 b. at least twenty percent of the labor costs of construction
19 contracts be spent to hire persons residing in the targeted communities,
20 if the combined average unemployment and poverty rate for a targeted
21 community is greater than twenty percent of the combined countywide
22 average of unemployment rate and the poverty rate; and

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

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1 c. at least thirty percent of the labor costs of construction
2 contracts cost be spent to hire persons residing in the targeted commu-
3 nities if the combined average community unemployment and poverty rate
4 is greater than thirty percent of the combined countywide average of
5 unemployment rate and the poverty rate.

6 4. The combined average unemployment rate and poverty rate shall be
7 computed annually based on statistics published by the New York state
8 bureau of labor statistics or similar government agencies for the period
9 ending December thirty-first of the year preceding the year in which the
10 contract is awarded. The county, in its sole discretion, may use the
11 most recent United States census data in determining the unemployment
12 rate and poverty rate of a targeted community or combined countywide
13 unemployment rate and poverty rate instead of data published by the New
14 York state bureau of labor statistics. The combined average shall be the
15 sum of the preceding year end unemployment rate plus the preceding year
16 end poverty rate divided by two.

17 5. The combined average unemployment rate and poverty rate shall be
18 established annually by resolution or local law of the county. The
19 county may require bidders to hire and retain persons who were previous-
20 ly incarcerated and who are participating in a re-entry program in such
21 county.

22 6. The county may require the lowest responsible bidder to establish
23 apprenticeship and training programs for workers residing within the
24 targeted communities in certain construction trades specified in a
25 resolution or local law passed by such county.

26 § 2. This act shall take effect on the thirtieth day after it shall
27 have become a law.