STATE OF NEW YORK

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1873

2023-2024 Regular Sessions

IN SENATE

January 17, 2023
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Introduced by Sen. WEBB -- 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 changing the maximum
  number of employees that a minority and women-owned business enter-
  prise may have during a declared state disaster emergency

  **The People of the State of New York, represented in Senate and Assem-
  bly, do enact as follows:**

 1   Section 1. Subdivision 20 of section 310 of the executive law, as
 2 added by chapter 175 of the laws of 2010, is amended to read as follows:
 3   20. "Small business" as used in this section, unless otherwise indi-
 4 cated, shall mean a business which has a significant business presence
 5 in the state, is independently owned and operated, not dominant in its
 6 field and employs, based on its industry, a certain number of persons as
 7 determined by the director, but not to exceed three hundred**, except
 8 during a declared state disaster emergency as defined pursuant to
 9 section twenty-eight of this chapter, not to exceed three hundred
10 employees who work thirty or more hours per week over the period of
11 fifty-two weeks for a total of one thousand five hundred sixty hours
12 worked**, taking into consideration factors which include, but are not
13 limited to, federal small business administration standards pursuant to
14 13 CFR part 121 and any amendments thereto. The director may issue regu-
15 lations on the construction of the terms in this definition. **For
16 purposes of this subdivision, an employee may break from employment for
17 up to thirteen weeks without the fifty-two week lookback period reset-
18 ting.**
19   § 2. This act shall take effect immediately; provided that the amend-
20 ments to subdivision 20 of section 310 of the executive law made by
21 section one of this act shall not affect the repeal of such section and
22 shall be deemed repealed therewith.

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