

STATE OF NEW YORK

7429

2023-2024 Regular Sessions

IN SENATE

May 24, 2023

Introduced by Sen. MARTINEZ -- 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 the definition of small business

The People of the State of New York, represented in Senate and Assembly, 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, [~~taking~~]
8 except for industries otherwise specified by the small business size
9 standards pursuant to 13 CFR 121.201 which shall be determined by the
10 size standard in number of employees. The director shall take into
11 consideration factors which include, but are not limited to, federal
12 small business administration standards pursuant to 13 CFR part 121 and
13 any amendments thereto. The director may issue regulations on the
14 construction of the terms in this definition.

15 § 2. This act shall take effect immediately; provided, however, that
16 the amendments to article 15-A of the executive law made by section one
17 of this act shall not affect the repeal of such article and shall be
18 deemed repealed therewith.

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

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