STATE OF NEW YORK

9004

2025-2026 Regular Sessions

IN ASSEMBLY

August 13, 2025

Introduced by M. of A. BORES -- read once and referred to the Committee on Small Business

AN ACT to amend the executive law, in relation to establishing the small business working group

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

Section 1. This act shall be known and may be cited as the "small business forward act".

§ 2. The executive law is amended by adding a new section 384 to read as follows:

§ 384. Small business working group. 1. There is hereby created in the executive department, no later than six months after the effective date of this section, a small business working group consisting of:

(a) the director of the division of building standards and codes, or such director's designee;

(b) the director of the division of licensing services, or such director's designee;

(c) the commissioner of health, or such commissioner's designee;

(d) the commissioner of the department of environmental conservation, or such commissioner's designee;

(e) the commissioner of the department of agriculture and markets, or such commissioner's designee;

(f) the heads of such other departments or divisions within the executive department and such other state agencies as shall be designated by the governor, or their designees, including, when appropriate, such departments, divisions or agencies with subject matter expertise in public health, inspections, or small businesses;

(g) two members appointed by the governor upon the recommendation of the temporary president of the senate;

(h) two members appointed by the governor upon the recommendation of speaker of the assembly;

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

LBD13533-02-5

(i) one member appointed by the governor upon the recommendation of the minority leader of the senate; and

(j) one member appointed by the governor upon the recommendation of the minority leader of the assembly.

2. The department shall provide necessary technical and staff assistance to the working group. Any department, division, board, bureau, commission, authority or agency of the state, as such entity shall determine appropriate, is authorized to provide such information, cooperation, or assistance as may be requested by the working group to carry out the purposes of this section.

3. The president of the empire state development corporation shall serve, ex officio, as the chair of the working group, and the governor shall designate the vice chair of the working group. In appointing members of the working group, appointing authorities shall ensure that such members, as a group, represent diverse public health and business perspectives relevant to the duties of the working group. The members of the working group, except those who serve ex officio, shall be allowed their actual and necessary expenses incurred in the performance of their duties under this article but shall receive no additional compensation for services rendered pursuant to this article.

4. The working group shall have the following powers and responsibilities:

(a) to identify the twenty-five provisions of law or rules that are most frequently enforced through the issuance of notices of violation by or on behalf of each inspection office and agency, and, to the extent practicable, identify those violations that are most frequently issued to small businesses;

(b) to evaluate each provision of law or rule identified pursuant to paragraph (a) of this subdivision and determine whether:

(i) such provision is necessary to promote an important public purpose, and, if not, assess whether such provision should be amended or repealed to better effectuate the public purpose at issue;

(ii) civil penalties established to enforce such provision are in an amount appropriate to achieve the public purpose sought to be achieved by the provision or, whether such civil penalties should be reduced; and

(iii) any such provision establishing such civil penalties requires a warning or cure period for persons who violate such provision for the first time, or whether rules should be adopted implementing such a warning or cure period.

(c) to specify whether legislation, rulemaking, or any other administrative reform, is recommended for each provision of law or rule identified pursuant to paragraph (a) of this subdivision and to seek input from each inspection office or agency which enforces such provision;

(d) to explain the reason for each provision of law or rule identified pursuant to paragraph (a) of this subdivision for which such the working group determines that neither legislation, rulemaking, nor any other administrative reform is recommended pursuant to paragraph (c) of this subdivision, including but not limited to, specifying the safety or health risks that could ensue from any change to such provision;

(e) to the extent practicable, to receive and respond to inquiries, including data requests, and recommendations; and

(f) to report its findings and recommendations to the governor, the temporary president of the senate and the speaker of the assembly, the minority leader of the senate, and the minority leader of the assembly. The working group may at any time make recommendations to an agency

based upon the working group's review of such agency's rulemaking process, or any of such agency's proposed, revised or adopted rules.

5. If any appointments to the working group are not made within six months of the effective date of this section, then the working group may proceed to meet and fulfill its responsibilities, pursuant to subdivision four of this section without such appointees.

§ 3. This act shall take effect immediately.