

# STATE OF NEW YORK

6436

2025-2026 Regular Sessions

## IN SENATE

March 13, 2025

Introduced by Sens. JACKSON, COMRIE, HOYLMAN-SIGAL, MYRIE, SALAZAR --  
read twice and ordered printed, and when printed to be committed to  
the Committee on Cultural Affairs, Tourism, Parks and Recreation

AN ACT to amend the arts and cultural affairs law, the cannabis law, the  
economic development law, the correction law, the education law, the  
environmental conservation law, the executive law, the public authori-  
ties law, the transportation law, the facilities development corpo-  
ration act, the New York state medical care facilities finance agency  
act and the New York state urban development corporation act, in  
relation to replacing instances of the words or variations of the  
words American Indian with the words Indigenous peoples or a variation  
thereof

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

1 Section 1. The opening paragraph of subparagraph (i) of paragraph (c)  
2 of subdivision 12 of section 3.07 of the arts and cultural affairs law,  
3 as amended by chapter 255 of the laws of 1988, is amended to read as  
4 follows:  
5 In the performance of projects pursuant to this section, minority and  
6 women-owned business enterprises shall be given the opportunity for  
7 meaningful participation. For purposes hereof, minority business enter-  
8 prise shall mean any business enterprise which is at least fifty-one per  
9 centum owned by, or in the case of a publicly owned business, at least  
10 fifty-one per centum of the stock or other voting interest is owned by  
11 citizens or permanent resident [~~aliens~~] noncitizens who are Black,  
12 Hispanic, Asian, [~~American Indian~~] Indigenous peoples, Pacific Islander,  
13 or Alaskan native, and such ownership interest is real, substantial and  
14 continuing and has the authority to independently control the day to day  
15 business decisions of the entity for at least one year; and women-owned  
16 business enterprise shall mean any business enterprise which is at least  
17 fifty-one per centum owned by, or in the case of a publicly owned busi-

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

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1 ness, at least fifty-one per centum of the stock to other voting inter-  
2 ests of which is owned by citizens or permanent resident [~~aliens~~]  
3 noncitizens who are women, and such ownership interest is real, substan-  
4 tial and continuing and has the authority to independently control the  
5 day to day business decisions of the entity for at least one year.

6 § 2. Subparagraph (ii) of paragraph (b) of subdivision 5 of section 87  
7 of the cannabis law is amended to read as follows:

8 (ii) Hispanic persons of Mexican, Puerto Rican, Dominican, Cuban,  
9 Central or South American of either [~~Indian~~] Indigenous or Hispanic  
10 origin, regardless of race;

11 § 3. Subdivision 3 and paragraphs (b) and (d) of subdivision 4 of  
12 section 210 of the economic development law, as amended by chapter 669  
13 of the laws of 2022, are amended to read as follows:

14 3. "Minority business enterprise" shall mean any business enterprise  
15 which is at least fifty-one per centum owned by, or in the case of a  
16 publicly owned business at least fifty-one per centum of the stock of  
17 which is owned by, citizens or permanent resident noncitizens who are  
18 Black, Hispanic, Asian or [~~American-Indian~~] Indigenous peoples, Pacific  
19 Islander or Alaskan Native where such ownership interest is real,  
20 substantial and continuing and where such persons have the authority to  
21 independently control the day-to-day business decisions of the entity.

22 (b) Hispanic persons of Mexican, Puerto Rican, Dominican, Cuban,  
23 Central or South American descent of either [~~Indian~~] Indigenous peoples  
24 or Hispanic origin, regardless of race;

25 (d) [~~American-Indian~~] Indigenous peoples or Alaskan Native persons  
26 having origins in any of the original peoples of North America.

27 § 4. Subdivision 1 of section 29 of the correction law, as amended by  
28 chapter 322 of the laws of 2021, is amended to read as follows:

29 1. The department shall continue to collect, maintain, and analyze  
30 statistical and other information and data with respect to persons  
31 subject to the jurisdiction of the department, including but not limited  
32 to: (a) the number of such persons: placed in the custody of the depart-  
33 ment, assigned to a specific department program, accorded community  
34 supervision and declared delinquent, recommitted to a state correctional  
35 institution upon revocation of community supervision, or discharged upon  
36 maximum expiration of sentence; (b) the criminal history of such  
37 persons; (c) the social, educational, and vocational circumstances of  
38 any such persons; (d) the institutional and community supervision  
39 programs and the behavior of such persons; and, (e) the military back-  
40 ground and circumstances, if such person served in the United States  
41 armed forces. Provided, however, in the event any statistical informa-  
42 tion on the ethnic background of the incarcerated individual population  
43 of a correctional facility or facilities is collected by the department,  
44 such statistical information shall contain, but not be limited to, the  
45 following ethnic categories: (i) Caucasian; (ii) Asian; (iii) [~~American~~  
46 ~~Indian~~] Indigenous peoples; (iv) Afro-American/Black; and (v) Spanish  
47 speaking/Hispanic which category shall include, but not be limited to,  
48 the following subcategories consisting of: (1) Puerto Ricans; (2)  
49 Cubans; (3) Dominicans; and (4) other Hispanic nationalities.

50 § 5. Paragraph a of subdivision 2 of section 341-a of the education  
51 law, as added by chapter 171 of the laws of 1987, is amended to read as  
52 follows:

53 a. The test subject's race or ethnicity, including the following  
54 groups: Black, White, [~~American-Indian~~] Indigenous peoples, Asian,  
55 Hispanic or other;

1 § 6. The opening paragraph of paragraph a of subdivision 1 of section  
2 52-0113 of the environmental conservation law, as amended by chapter 669  
3 of the laws of 2022, is amended to read as follows:

4 In the performance of projects pursuant to this article minority and  
5 women-owned business enterprises shall be given the opportunity for  
6 meaningful participation. The department or the office shall establish  
7 measures and procedures to secure meaningful participation and identify  
8 those contracts and items of work for which minority and women-owned  
9 business enterprises may best bid to actively and affirmatively promote  
10 and assist their participation in the projects, so as to facilitate the  
11 award of a fair share of contracts to such enterprises; provided, howev-  
12 er, that nothing in this article shall be construed to limit the ability  
13 of the department or office to assure that qualified minority and  
14 women-owned business enterprises may participate in the program. For  
15 purposes hereof, minority business enterprise shall mean any business  
16 enterprise which is at least fifty-one per centum owned by, or in the  
17 case of a publicly owned business, at least fifty-one per centum of the  
18 stock of which is owned by citizens or permanent resident noncitizens  
19 who are Black, Hispanic, Asian or [~~American Indian~~] Indigenous peoples,  
20 Pacific Islander or Alaskan natives and such ownership interest is real,  
21 substantial and continuing and have the authority to independently  
22 control the day to day business decisions of the entity for at least one  
23 year; and women-owned business enterprise shall mean any business enter-  
24 prise which is at least fifty-one per centum owned by, or in the case of  
25 a publicly owned business, at least fifty-one per centum of the stock of  
26 which is owned by citizens or permanent resident noncitizens who are  
27 women, and such ownership interest is real, substantial and continuing  
28 and have the authority to independently control the day to day business  
29 decisions of the entity for at least one year.

30 § 7. Paragraph (b) of subdivision 8 of section 310 of the executive  
31 law, as amended by chapter 96 of the laws of 2019, is amended to read as  
32 follows:

33 (b) Hispanic/Latino persons of Mexican, Puerto Rican, Dominican,  
34 Cuban, Central or South American of either [~~Indian~~] Indigenous or  
35 Hispanic origin, regardless of race;

36 § 8. The opening paragraph of subdivision 3 of section 1020-v of the  
37 public authorities law, as amended by chapter 669 of the laws of 2022,  
38 is amended to read as follows:

39 In the performance of projects pursuant to this title, minority and  
40 women-owned business enterprises shall be given the opportunity for  
41 meaningful participation. The authority shall establish quantifiable  
42 standards and measures and procedures to secure meaningful participation  
43 and identify those contracts and items of work for which minority and  
44 women-owned business enterprises may best bid to actively and affirma-  
45 tively promote and assist their participation in projects, so as to  
46 facilitate the award of a fair share of contracts to such enterprises;  
47 provided, however, that nothing in this title shall be construed to  
48 limit the ability of the authority to assure that qualified minority and  
49 women-owned business enterprises may participate in the program. For  
50 purposes hereof, minority business enterprise shall mean any business  
51 enterprise which is at least fifty-one per centum owned by, or in the  
52 case of a publicly owned business, at least fifty-one per centum of the  
53 stock or other voting interest is owned by citizens or permanent resi-  
54 dent noncitizens who are Black, Hispanic, Asian, [~~American Indian~~]  
55 Indigenous peoples, Pacific islander, or Alaskan native, and such owner-  
56 ship interest is real, substantial and continuing and has the authority

1 to independently control the day to day business decisions of the entity  
2 for at least one year; and women-owned business enterprise shall mean  
3 any business enterprise which is at least fifty-one per centum owned by,  
4 or in the case of a publicly owned business, at least fifty-one per  
5 centum of the stock to other voting interests of which is owned by citi-  
6 zens or permanent resident noncitizens who are women, and such ownership  
7 interest is real, substantial and continuing and has the authority to  
8 independently control the day to day business decisions of the entity  
9 for at least one year.

10 § 9. Subdivision 3 of section 1045-x of the public authorities law, as  
11 amended by chapter 669 of the laws of 2022, is amended to read as  
12 follows:

13 3. Any contracting agency empowered to award contracts for design,  
14 construction, services or materials shall seek meaningful participation  
15 in the performance of contracts by minority business enterprises and  
16 shall establish measures and procedures to identify those contracts and  
17 items of work for which minority business enterprises may best bid to  
18 actively and affirmatively promote and assist their participation so as  
19 to facilitate the award of a fair share of contracts to such enter-  
20 prises. For purposes hereof, "minority business enterprise" shall mean  
21 any business enterprise which is at least fifty-one per centum owned by,  
22 or in the case of a publicly owned business, at least fifty-one per  
23 centum of the stock of which is owned by citizens or permanent resident  
24 noncitizens who are Black, Hispanic, Asian, [~~American-Indian~~] Indigenous  
25 peoples or women, and such ownership interest is real, substantial and  
26 continuing. The provisions of this subdivision shall not be construed to  
27 limit the ability of any minority business enterprise to bid on any  
28 contract.

29 § 10. Subdivision 3 of section 1048-x of the public authorities law,  
30 as amended by chapter 669 of the laws of 2022, is amended to read as  
31 follows:

32 3. Any contracting agency empowered to award contracts for design,  
33 construction, services or materials shall seek meaningful participation  
34 in the performance of contracts by minority business enterprises and  
35 shall establish measures and procedures to identify those contracts and  
36 items of work for which minority business enterprises may best bid to  
37 actively and affirmatively promote and assist their participation so as  
38 to facilitate the award of a fair share of contracts to such enter-  
39 prises. For purposes hereof, "minority business enterprise" shall mean  
40 any business enterprise which is at least fifty-one per centum owned by,  
41 or in the case of a publicly owned business, at least fifty-one per  
42 centum of the stock of which is owned by citizens or permanent resident  
43 noncitizens who are Black, Hispanic, Asian, [~~American-Indian~~] Indigenous  
44 peoples or women, and such ownership interest is real, substantial and  
45 continuing. The provisions of this subdivision shall not be construed to  
46 limit the ability of any minority business enterprise to bid on any  
47 contract.

48 § 11. Subdivision 3 of section 1115-x of the public authorities law,  
49 as amended by chapter 669 of the laws of 2022, is amended to read as  
50 follows:

51 3. Any contracting agency empowered to award contracts for design,  
52 construction, services or materials shall seek meaningful participation  
53 in the performance of contracts by minority business enterprises and  
54 shall establish measures and procedures to identify those contracts and  
55 items of work for which minority business enterprises may best bid to  
56 actively and affirmatively promote and assist their participation so as

1 to facilitate the award of a fair share of contracts to such enter-  
2 prises. For purposes hereof, "minority business enterprise" shall mean  
3 any business enterprise which is at least fifty-one per centum owned by,  
4 or in the case of a publicly owned business, at least fifty-one per  
5 centum of the stock of which is owned by citizens or permanent resident  
6 noncitizens who are Black, Hispanic, Asian, [~~American-Indian~~] Indigenous  
7 peoples or women, and such ownership interest is real, substantial and  
8 continuing. The provisions of this subdivision shall not be construed to  
9 limit the ability of any minority business enterprise to bid on any  
10 contract.

11 § 12. Subdivision 3 of section 1197-q of the public authorities law,  
12 as amended by chapter 669 of the laws of 2022, is amended to read as  
13 follows:

14 3. The authority shall seek meaningful participation in the perform-  
15 ance of contracts by minority business enterprises and shall establish  
16 measures and procedures to identify those contracts and items of work  
17 for which minority business enterprises may best bid to actively and  
18 affirmatively promote and assist their participation so as to facilitate  
19 the award of a fair share of contracts to such enterprises. For purposes  
20 hereof, "minority business enterprise" shall mean any business enter-  
21 prise which is at least fifty-one per centum owned by, or in the case of  
22 a publicly owned business, at least fifty-one per centum of the stock of  
23 which is owned by citizens or permanent resident noncitizens who are  
24 Black, Hispanic, Asian, [~~American-Indian~~] Indigenous peoples or women,  
25 and such ownership interest is real, substantial and continuing. The  
26 provisions of this subdivision shall not be construed to limit the abil-  
27 ity of any minority business enterprise to bid on any contract.

28 § 13. Subdivision 3 of section 1199-v of the public authorities law,  
29 as amended by chapter 669 of the laws of 2022, is amended to read as  
30 follows:

31 3. Any contracting agency empowered to award contracts for design,  
32 construction, services or materials shall seek meaningful participation  
33 in the performance of contracts by minority business enterprises and  
34 shall establish measures and procedures to identify those contracts and  
35 items of work for which minority business enterprises may best bid to  
36 actively and affirmatively promote and assist their participation so as  
37 to facilitate the award of a fair share of contracts to such enter-  
38 prises. For purposes hereof, "minority business enterprise" shall mean  
39 any business enterprise which is at least fifty-one per centum owned by,  
40 or in the case of a publicly owned business, at least fifty-one per  
41 centum of the stock of which is owned by citizens or permanent resident  
42 noncitizens who are Black, Hispanic, Asian, [~~American-Indian~~] Indigenous  
43 peoples or women, and such ownership interest is real, substantial and  
44 continuing. The provisions of this subdivision shall not be construed to  
45 limit the ability of any minority business enterprise to bid on any  
46 contract.

47 § 14. Subparagraph (i) of paragraph (a) of subdivision 14 of section  
48 1266-c of the public authorities law, as amended by chapter 669 of the  
49 laws of 2022, is amended to read as follows:

50 (i) In the performance of projects pursuant to this title minority and  
51 women-owned business enterprises shall be given the opportunity for  
52 meaningful participation. The authority provided for in this title shall  
53 establish measures and procedures to secure meaningful participation and  
54 identify those contracts and items of work for which minority and  
55 women-owned business enterprises may best bid to actively and affirma-  
56 tively promote and assist their participation in the projects, so as to

1 facilitate the award of a fair share of contracts to such enterprises;  
2 provided, however, that nothing in this title shall be construed to  
3 limit the ability of the authority to assure that qualified minority and  
4 women-owned business enterprises may participate in the program. For  
5 purposes hereof, minority business enterprise shall mean any business  
6 enterprise which is at least fifty-one per centum owned by, or in the  
7 case of a publicly owned business, at least fifty-one per centum of the  
8 stock of which is owned by citizens or permanent resident noncitizens  
9 who are Black, Hispanic, Asian or [~~American Indian~~] Indigenous peoples,  
10 Pacific Islander or Alaskan natives and such ownership interest is real,  
11 substantial and continuing and have the authority to independently  
12 control the day to day business decisions of the entity for at least one  
13 year; and women-owned business enterprise shall mean any business enter-  
14 prise which is at least fifty-one per centum owned by, or in the case of  
15 a publicly owned business, at least fifty-one per centum of the stock of  
16 which is owned by citizens or permanent resident noncitizens who are  
17 women, and such ownership interest is real, substantial and continuing  
18 and have the authority to independently control the day to day business  
19 decisions of the entity for at least one year.

20 The provisions of this paragraph shall not be construed to limit the  
21 ability of any minority or women-owned business enterprise to bid on any  
22 contract.

23 § 15. Section 1974-d of the public authorities law, as amended by  
24 chapter 669 of the laws of 2022, is amended to read as follows:

25 § 1974-d. Contracts. In connection with development, construction,  
26 operations and maintenance contracts for projects of the authority,  
27 minority and women-owned business enterprises and minority group members  
28 and women shall be given the opportunity for meaningful participation.  
29 The authority shall establish measures and procedures to secure meaning-  
30 ful participation by minority and women-owned business enterprises on  
31 contracts for projects of the authority. Such measures and procedures  
32 shall also promote the employment of minority group members and women on  
33 such contracts. For the purposes thereof, "minority business enterprise"  
34 shall mean any business enterprise which is at least fifty-one per  
35 centum owned by, or in the case of a publicly owned business, at least  
36 fifty-one per centum of the stock of which is owned by citizens or  
37 permanent resident noncitizens who are Black, Hispanic, Asian or [~~Ameri-  
38 ean Indian~~] Indigenous peoples, and such ownership interest is real,  
39 substantial and continuing and "women-owned business enterprise" shall  
40 mean any business enterprise which is at least fifty-one per centum  
41 owned by, or in the case of a publicly owned business, at least fifty-  
42 one percent of the stock of which is owned by citizens or permanent  
43 resident noncitizens who are women and such ownership interest is real,  
44 substantial and continuing. The provisions of this section shall not be  
45 construed to limit the ability of any minority or women-owned business  
46 enterprise to bid on any contract. In order to implement the require-  
47 ments and objectives of this section in connection with such projects,  
48 the authority shall be responsible for monitoring compliance with the  
49 provisions hereof, providing advice on the availability of competitive  
50 qualified minority and women-owned business enterprises to perform  
51 contracts proposed to be awarded, and making recommendations to improve  
52 the access of minority and women-owned business enterprises to these  
53 contracts.

54 § 16. Subdivision 3 of section 2050-v of the public authorities law,  
55 as amended by chapter 669 of the laws of 2022, is amended to read as  
56 follows:

1 3. The agency in awarding contracts for design, construction, services  
2 or materials, shall seek meaningful participation in the performance of  
3 contracts by minority business enterprises and shall establish measures  
4 and procedures to identify those contracts and items of work for which  
5 minority business enterprises may best bid to actively and affirmatively  
6 promote and assist their participation so as to facilitate the award of  
7 a fair share of contracts to such enterprises. For purposes hereof,  
8 "minority business enterprise" shall mean any business enterprise which  
9 is at least fifty-one per centum owned by, or in the case of a publicly  
10 owned business, at least fifty-one per centum of the stock of which is  
11 owned by citizens or permanent resident noncitizens who are Black,  
12 Hispanic, Asian, [~~American-Indian~~] Indigenous peoples or women, and such  
13 ownership interest is real, substantial and continuing. The provisions  
14 of this subdivision shall not be construed to limit the ability of any  
15 minority business enterprise to bid on any contract.

16 § 17. Subdivision 4 of section 2799-gggg of the public authorities  
17 law, as amended by chapter 669 of the laws of 2022, is amended to read  
18 as follows:

19 4. The corporation shall seek meaningful participation by minority  
20 business enterprises in the programs of the corporation and shall  
21 actively and affirmatively promote and assist their participation in the  
22 corporation's programs, so as to facilitate the award of a fair share of  
23 contracts to such enterprises. For purposes hereof, "minority business  
24 enterprise" shall mean any business enterprise which is at least fifty-  
25 one per centum owned by, or in the case of publicly owned business, at  
26 least fifty-one per centum of the stock of which is owned by, citizens  
27 or permanent resident noncitizens who are Black, Hispanic, Asian, [~~Amer-~~  
28 ~~ican-Indian~~] Indigenous peoples or women, and such ownership interest is  
29 real, substantial and continuing.

30 § 18. Subparagraph (ii) of paragraph (d) of subdivision 3 of section  
31 2879 of the public authorities law, as amended by chapter 669 of the  
32 laws of 2022, is amended to read as follows:

33 (ii) Hispanic persons of Mexican, Puerto Rican, Dominican, Cuban,  
34 Central or South American of either [~~Indian~~] Indigenous or Hispanic  
35 origin, regardless of race;

36 § 19. Paragraph a of subdivision 2 of section 428 of the transporta-  
37 tion law, as amended by chapter 669 of the laws of 2022, is amended to  
38 read as follows:

39 a. In the performance of transportation infrastructure renewal  
40 projects, minority and women-owned business enterprises shall be given  
41 the opportunity for meaningful participation. The governor shall estab-  
42 lish measures and procedures to secure meaningful participation and  
43 identify those contracts and items of work for which minority and  
44 women-owned business enterprises may best bid to actively and affirma-  
45 tively promote and assist their participation in the department's  
46 construction and procurement program for transportation infrastructure  
47 renewal projects, so as to facilitate the award of a fair share of  
48 contracts to such enterprises; provided, however, that nothing in this  
49 article shall be construed to limit the ability of the governor to  
50 assure that qualified minority and women-owned business enterprises may  
51 participate in the transportation infrastructure renewal program. For  
52 purposes hereof, minority business enterprise shall mean any business  
53 enterprise which is at least fifty-one per centum owned by, or in the  
54 case of a publicly owned business, at least fifty-one per centum of the  
55 stock of which is owned by citizens or permanent resident noncitizens  
56 who are Black, Hispanic, Asian or [~~American-Indian~~] Indigenous peoples,

1 and such ownership interest is real, substantial and continuing; and  
2 women-owned business enterprise shall mean any business enterprise which  
3 is at least fifty-one per centum owned by, or in the case of a publicly  
4 owned business, at least fifty-one per centum of the stock of which is  
5 owned by citizens or permanent resident noncitizens who are women, and  
6 such ownership interest is real, substantial and continuing.

7 The provisions of this paragraph shall not be construed to limit the  
8 ability of any minority business enterprise to bid on any contract.

9 § 20. Paragraph (a) of subdivision 1 of section 9-b of section 1 of  
10 chapter 359 of the laws of 1968, constituting the facilities development  
11 corporation act, as amended by chapter 669 of the laws of 2022, is  
12 amended to read as follows:

13 (a) Minority and women-owned business enterprises shall be given the  
14 opportunity for meaningful participation in all contracts executed by  
15 the corporation pursuant to the provisions of this act other than  
16 contracts the cost of which is borne solely by a municipality or municipi-  
17 palities. The corporation shall establish measures and procedures to  
18 secure meaningful participation and identify those contracts and items  
19 of work for which minority and women-owned business enterprises may best  
20 bid to actively and affirmatively promote and assist their participation  
21 in the projects, so as to facilitate the award of a fair share of  
22 contracts to such enterprises; provided, however, that nothing in this  
23 act shall be construed to limit the ability of the corporation to assure  
24 that qualified minority and women-owned business enterprises may partic-  
25 ipate in the program. For purposes hereof, minority business enterprise  
26 shall mean any business enterprise which is at least fifty-one per  
27 centum owned by, or in the case of a publicly owned business, at least  
28 fifty-one per centum of the stock of which is owned by citizens or  
29 permanent resident noncitizens who are Black, Hispanic, Asian or [~~Ameri-~~  
30 ~~can-Indian~~] **Indigenous peoples**, Pacific Islander or Alaskan natives and  
31 such ownership interest is real, substantial and continuing and have the  
32 authority to independently control the day to day business decisions of  
33 the entity for at least one year; and women-owned business enterprise  
34 shall mean any business enterprise which is at least fifty-one per  
35 centum owned by, or in the case of a publicly owned business, at least  
36 fifty-one per centum of the stock of which is owned by citizens or  
37 permanent resident noncitizens who are women, and such ownership inter-  
38 est is real, substantial and continuing and have the authority to inde-  
39 pendently control the day to day business decisions of the entity for at  
40 least one year.

41 The provisions of this paragraph shall not be construed to limit the  
42 ability of any minority or women-owned business enterprise to bid on any  
43 contract.

44 § 21. Paragraph a of subdivision 1 of section 16-b of section 1 of  
45 chapter 392 of the laws of 1973, constituting the New York state medical  
46 care facilities finance agency act, as amended by chapter 669 of the  
47 laws of 2022, is amended to read as follows:

48 a. In the performance of projects pursuant to this act minority and  
49 women-owned business enterprises shall be given the opportunity for  
50 meaningful participation. The agency shall establish measures and proce-  
51 dures to secure meaningful participation and identify those contracts  
52 and items of work for which minority and women-owned business enter-  
53 prises may best bid to actively and affirmatively promote and assist  
54 their participation in the projects, so as to facilitate the award of a  
55 fair share of contracts to such enterprises; provided, however, that  
56 nothing in this act shall be construed to limit the ability of the agen-



1 cy to assure that qualified minority and women-owned business enter-  
2 prises may participate in the program. For purposes hereof, minority  
3 business enterprise shall mean any business enterprise which is at least  
4 fifty-one per centum owned by, or in the case of a publicly owned busi-  
5 ness, at least fifty-one per centum of the stock of which is owned by  
6 citizens or permanent resident noncitizens who are Black, Hispanic,  
7 Asian or [~~American-Indian~~] Indigenous peoples, Pacific Islander or Alas-  
8 kan natives and such ownership interest is real, substantial and contin-  
9 uing and have the authority to independently control the day to day  
10 business decisions of the entity for at least one year; and women-owned  
11 business enterprise shall mean any business enterprise which is at least  
12 fifty-one per centum owned by, or in the case of a publicly owned busi-  
13 ness, at least fifty-one per centum of the stock of which is owned by  
14 citizens or permanent resident noncitizens who are women, and such  
15 ownership interest is real, substantial and continuing and have the  
16 authority to independently control the day to day business decisions of  
17 the entity for at least one year.

18 The provisions of this paragraph shall not be construed to limit the  
19 ability of any minority or women-owned business enterprise to bid on any  
20 contract.

21 § 22. Paragraphs (b) and (d) of subdivision 19 of section 3 of section  
22 1 of chapter 174 of the laws of 1968 constituting the New York state  
23 urban development corporation act, as added by chapter 839 of the laws  
24 of 1987, are amended to read as follows:

25 (b) Hispanic persons of Mexican, Puerto Rican, Dominican, Cuban,  
26 Central or South American descent of either [~~Indian~~] Indigenous or  
27 Hispanic origin, regardless of race;

28 (d) [~~American-Indian~~] Indigenous peoples or Alaskan Native persons  
29 having origins in any of the original peoples of North America and main-  
30 taining identifiable tribal affiliations through membership and partic-  
31 ipation or community identification.

32 § 23. This act shall take effect immediately, provided, however, that  
33 the amendments to subdivision 8 of section 310 of the executive law made  
34 by section seven of this act shall not affect the repeal of such section  
35 and shall be deemed repealed therewith.