

# STATE OF NEW YORK

10545

## IN ASSEMBLY

March 13, 2026

Introduced by M. of A. SOLAGES -- read once and referred to the Committee on Economic Development

AN ACT to amend chapter 174 of the laws of 1968, constituting the New York state urban development corporation act and the public authorities law, in relation to establishing a semiannual employee resident report

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

1 Section 1. Subdivision 1 of section 58 of section 1 of chapter 174 of  
2 the laws of 1968, constituting the New York state urban development  
3 corporation act, as added by section 1 of part NNN of chapter 58 of the  
4 laws of 2022, is amended by adding three new paragraphs (g), (h) and (i)  
5 to read as follows:

6 (g) "Closing date" means the last day of a qualified participant's  
7 last pay period before June 30 and December 31 of each calendar year.

8 (h) "Reside" means, for purposes of determining whether an employee  
9 resides in the zip code or zip codes where the project is located or  
10 does not reside in the zip code or zip codes where the project is  
11 located, the payroll records of the qualified participant reflecting the  
12 employee's home address as provided by the employee are determinative.

13 (i) "Classification" means whether an employee is in a "management" or  
14 "non-management" position as determined under 29 CFR 541.100, with  
15 "management" to hold the same meaning as "employee employed in a bona  
16 fide executive capacity".

17 § 2. Section 58 of section 1 of chapter 174 of the laws of 1968,  
18 constituting the New York state urban development corporation act, as  
19 added by section 1 of part NNN of chapter 58 of the laws of 2022, is  
20 amended by adding a new subdivision 2-a to read as follows:

21 2-a. (a) Each qualified participant with more than twenty-five employ-  
22 ees, on or before February 1 and August 1 of each calendar year shall  
23 file with the department of economic development the semiannual employee  
24 residency report described in this subdivision. The department of  
25 economic development may not charge or collect a filing or other fee for  
26 such report.

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

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1 (b) The semiannual employee residency report due February 1 is a  
2 report for a reporting period from July 1 to the ensuing closing date of  
3 the prior year; the semiannual employee residency report due August 1 is  
4 a report for a reporting period from January 1 to the ensuing closing  
5 date of that same year.

6 (c) The semiannual employee residency report shall contain:

7 (i) The name of the qualified participant, both its official name and  
8 any doing-business-as name;

9 (ii) The reporting period of the report;

10 (iii) The address or addresses of the qualified participant's place or  
11 places of business in the state;

12 (iv) The total number of employees employed by the qualified partic-  
13 ipant on the applicable closing date, and, separately, the number of  
14 such employees:

15 (A) Who reside in the zip code or zip codes where the project is  
16 located; and

17 (B) Who do not reside in the zip code or zip codes where the project  
18 is located;

19 (v) The aggregate number of hours of work performed by its employees  
20 during the reporting period and, separately, the number of hours of work  
21 performed by employees:

22 (A) Who reside in the zip code or zip codes where the project is  
23 located; and

24 (B) Who do not reside in the zip code or zip codes where the project  
25 is located;

26 (vi) The actual average wage by occupation or job classification and  
27 total payroll to be created as a result of the benefits as of the appli-  
28 cable closing date by the number of such employees:

29 (A) Who reside in the zip code or zip codes where the project is  
30 located; and

31 (B) Who do not reside in the zip code or zip codes where the project  
32 is located;

33 (vii) Any additional information, commentary or explanation that the  
34 qualified participant may choose to include; and

35 (viii) A certification by an authorized representative of the quali-  
36 fied participant with knowledge of the facts reported in the report  
37 stating that the contents thereof are true and acknowledging the penalty  
38 for false certifications if the contents thereof are not true.

39 (d) Other than the name of the certifying representative required by  
40 paragraph (h) of this subdivision, the semiannual employee residency  
41 report shall not contain the name of any individual employee, such  
42 employee's residential street address, or such employee's specific wage,  
43 salary, or compensation, or any other similar personal information about  
44 any employee.

45 (e) Every semiannual employee residency report required by this subdi-  
46 vision is public information upon being filed with the department of  
47 economic development and shall be disclosed on demand to any person  
48 requesting the same under applicable public record laws.

49 (f) A qualified participant who is required to file the semiannual  
50 employee residency report but fails to do so by the date required or who  
51 purposely, knowingly, or recklessly includes one or more materially  
52 false statements shall be in violation of this subdivision, and may be  
53 subject to an enforcement action by the department of economic develop-  
54 ment, pursuant to contractual provisions between the department and the  
55 qualified participant requiring the keeping and maintaining of accurate  
56 records.

1 (g) Each qualified participant shall keep and maintain records suffi-  
2 cient to establish the accuracy of each semiannual employee residency  
3 report for seven years from the due date of each such report.

4 (h) The department of economic development may adopt and publish  
5 frequently asked questions and/or guidance documents necessary or appro-  
6 priate to interpret this subdivision and to guide and ensure compliance  
7 with this subdivision. The department of economic development may estab-  
8 lish and provide a method for the electronic submission and filing of  
9 reports required by this subdivision.

10 § 3. Paragraphs (v), (xiv) and (xv) of subdivision 3 of section 58 of  
11 section 1 of chapter 174 of the laws of 1968, constituting the New York  
12 state urban development corporation act, as added by section 1 of part  
13 NNN of chapter 58 of the laws of 2022, are amended and four new para-  
14 graphs (xvi), (xvii), (xviii) and (xix) are added to read as follows:

15 (v) for any aggregate economic development benefit that provides for  
16 job retention or job creation that a qualified participant is receiving,  
17 the total job creation commitments, job retention commitments, job  
18 creation actual number, and the job retention actual number, displayed  
19 in terms of full-time equivalents and part-time jobs, and in terms of  
20 classification, shall each be displayed as separate and searchable  
21 fields;

22 (xiv) a user-friendly guide to outline the features and functionality  
23 of the database; [~~and~~]

24 (xv) a dedicated email account for the public to direct questions  
25 related to the database[~~;~~];

26 (xvi) for each individual project receiving aggregate economic devel-  
27 opment benefits, the six-digit code and category of business receiving  
28 the incentive under the North American Industry Classification System  
29 adopted by the United States Office of Management and Budget as of Janu-  
30 ary first, two thousand twenty-two;

31 (xvii) for each individual project receiving aggregate economic devel-  
32 opment benefits, the total number of employees employed by the qualified  
33 participant on the applicable closing date, and, separately, the number  
34 of such employees:

35 (A) Who reside in the zip code or zip codes where the project is  
36 located; and

37 (B) Who do not reside in the zip code or zip codes where the project  
38 is located;

39 (xviii) for each individual project receiving aggregate economic  
40 development benefits, the aggregate number of hours of work performed by  
41 its employees during the reporting period and, separately, the number of  
42 hours of work performed by employees:

43 (A) Who reside in the zip code or zip codes where the project is  
44 located; and

45 (B) Who do not reside in the zip code or zip codes where the project  
46 is located; and

47 (xix) for each individual project receiving aggregate economic devel-  
48 opment benefits, the actual average wage by occupation or job classi-  
49 fication and total payroll to be created as a result of the benefits,  
50 the total number of employees who earn compensation at the rate set  
51 forth in each pay band as of the applicable closing date, and, separate-  
52 ly, the number of such employees:

53 (A) Who reside in the zip code or zip codes where the project is  
54 located; and

55 (B) Who do not reside in the zip code or zip codes where the project  
56 is located.

1 § 4. Section 58 of section 1 of chapter 174 of the laws of 1968,  
2 constituting the New York state urban development corporation act, as  
3 added by section 1 of part NNN of chapter 58 of the laws of 2022, is  
4 amended by adding a new subdivision 7 to read as follows:

5 7. None of the reporting requirements required by this section shall  
6 apply to the COVID-19 capital costs tax credit established pursuant to  
7 section 47 of the tax law.

8 § 5. Subdivisions 1 and 2 of section 8 of the public authorities law,  
9 as added by section 1 of subpart A of part SS of chapter 58 of the laws  
10 of 2024, are amended and three new subdivisions 2-a, 4 and 5 are added  
11 to read as follows:

12 1. For the purposes of this section, the following terms shall have  
13 the following meanings:

14 (a) "Economic development benefits" shall mean:

15 (i) funds made available by a local [~~development corporation for~~  
16 ~~economic development, or job creation purposes including, but not limit-~~  
17 ~~ed to, grants, loans, and bonds; and~~

18 ~~(ii) bonds and tax exemptions which are applied for and preapproved or~~  
19 ~~certified by or on behalf of an industrial development agency for~~  
20 ~~economic development.] authority, including without limitation any enti-  
21 ty created incorporated pursuant to section fourteen hundred eleven of  
22 the not-for-profit corporation law, for economic development, or job  
23 creation purposes including, but not limited to, grants, loans, loan  
24 guarantees, loan interest subsidies, and subsidies; and~~

25 (ii) tax credits, tax exemptions, reduced tax rates or other tax  
26 incentives which are applied for and preapproved or certified by or on  
27 behalf of a local authority, including without limitation any entity  
28 created incorporated pursuant to section fourteen hundred eleven of the  
29 not-for-profit corporation law, for economic development.

30 (b) "Qualified participant" shall mean a [~~project operator pursuant to~~  
31 ~~section eight hundred seventy four of the general municipal law with a~~  
32 ~~project pursuant to section eight hundred fifty four of the general~~  
33 ~~municipal law] person, business, limited liability corporation or any  
34 other entity that has applied for and received benefits as defined in  
35 paragraph (a) of this subdivision.~~

36 (b-1) "Additional state economic development benefits" shall mean  
37 those economic development benefits made available to the local authori-  
38 ty, including without limitation any entity created incorporated pursu-  
39 ant to section fourteen hundred eleven of the not-for-profit corporation  
40 law, by a state entity to award such benefits to qualified recipients.

41 (c) "Full-time equivalent" shall mean a unit of measure, which is  
42 equal to one filled, full-time, annual-salaried position [~~in a manner~~  
43 ~~consistent with federal calculations].~~

44 (d) "The office" shall mean the authorities budget office.

45 (e) "The database" or "the searchable database" shall mean the data-  
46 base created pursuant to subdivision two or two-a of this section.

47 (f) "The project" shall mean specific work, action, endeavor, contract  
48 or agreement for which any economic benefit as defined in paragraph (a)  
49 of this subdivision, is made available or awarded by a local [~~develop-~~  
50 ~~ment corporation] authority or industrial development agency, including  
51 without limitation any entity created incorporated pursuant to section  
52 fourteen hundred eleven of the not-for-profit corporation law, or indus-  
53 trial development agency to a person, business, limited liability corpo-  
54 ration or any other entity.~~

55 (g) "Project hires" shall mean a job in which an individual is hired  
56 for a season or for a limited period of time.

1 (h) "Part-time job" shall mean a job in which an individual is  
2 employed by a qualified participant for less than thirty-five hours a  
3 week.

4 (i) "Closing date" means the last day of a qualified participant's  
5 last pay period before June thirtieth and December thirty-first of each  
6 calendar year.

7 (j) "Reside" means, for purposes of determining whether an employee  
8 resides in the zip code or zip codes where the project is located or  
9 does not reside in the zip code or zip codes where the project is  
10 located, the payroll records of the qualified participant reflecting the  
11 employee's home address as provided by the employee are determinative.

12 2. Notwithstanding any laws to the contrary, the office shall create a  
13 searchable database, displaying data regarding economic development  
14 benefits that a qualified participant has been awarded. Such searchable  
15 database shall also separately display data regarding additional state  
16 economic development benefits and the aggregate total of benefits  
17 defined in paragraph (a) of subdivision one of this section, to the  
18 extent that such data has been made available to and is received by the  
19 office in the form and manner prescribed by the office. Such searchable  
20 database shall include, at a minimum, the following data, features and  
21 functionality to the extent practicable:

22 (a) the ability to search the database by each of the reported infor-  
23 mation fields;

24 (b) the ability to be searchable, downloadable, updated quarterly, and  
25 posted on a publicly accessible website as well as referenced on the  
26 office's website, with a direct link to the database;

27 (c) the ability to digitally select defined individual fields corre-  
28 sponding to any of the reported information from qualified participants  
29 to create unique database views;

30 (d) the ability to download the database in its entirety, or in part,  
31 in a common machine readable format;

32 (e) a definition or description of terms for fields in the database;

33 (f) a summary of each separate economic development benefit defined in  
34 paragraph (a) of subdivision one of this section, respectively, awarded  
35 to qualified participants;

36 (g) a user-friendly guide to outline the features and functionality of  
37 the database;

38 (h) a dedicated email account for the public to direct questions  
39 related to the database, and the office mailing address, office tele-  
40 phone number, and name of the chief officer;

41 (i) the following data on local development corporations shall be  
42 included:

43 (i) relating to grants, the source of funds for the grant, the name  
44 and address of the entity that received the grant, the date and amount  
45 awarded, how the grant funds will be used, whether the grant proceeds  
46 were expected to result in new jobs being created, and if so, how many  
47 jobs were planned to be created and how many jobs have been created to  
48 date;

49 (ii) relating to loans, the source of funds for the loan, the name and  
50 address of the entity that received the loan, the date and amount  
51 awarded, the loan interest rate, the length of the loan in years, the  
52 amount repaid to date, how the loan funds will be used, and whether the  
53 loan was provided to the recipient for the purpose of creating jobs, and  
54 if so, how many jobs were planned to be created and how many jobs have  
55 been created to date; and

1 (iii) relating to bonds, the name and address of the recipient of the  
2 bond proceeds, the amount and date of the bond issuance, the bond inter-  
3 est rate, the year the bonds are expected to be fully retired, the  
4 amount of bond principal retired during the reporting period, how the  
5 bond proceeds are used, whether the bond proceeds were provided to the  
6 recipient to create jobs, and if so, how many jobs were planned to be  
7 created and how many jobs have been created to date; and

8 (j) the following data on industrial development agency projects shall  
9 be included:

10 (i) [~~project~~] a qualified participant's name, project type, project  
11 location, and the project's complete address, including the postal code  
12 in a separate and searchable field, ~~and the economic region of the~~  
13 state;

14 (ii) [~~whether the project is part of another phase or multi phase, the~~  
15 ~~category of the project purpose, the total project amount, the benefited~~  
16 ~~project amount, if the project type was a bond, the bond amount, if the~~  
17 ~~project type was a lease, the lease amount, whether the qualified recip-~~  
18 ~~ient is a not for profit, the date the project was approved, whether the~~  
19 ~~industrial development agency took title to a property, and if so, the~~  
20 ~~date that title was taken, and the year financial assistance is planned~~  
21 ~~to end~~] the time span over which a qualified participant is to receive  
22 or has received aggregate economic development benefits;

23 (iii) [~~the qualified participant's name and the qualified partic-~~  
24 ~~ipant's complete address, including the postal code in a separate and~~  
25 ~~searchable field~~] the type of such economic development benefits, as  
26 defined in paragraph (a) of subdivision one of this section, provided to  
27 a qualified participant, including the name of the program or programs  
28 through which such benefits are provided, and details as to whether  
29 such programs are grants or tax credit programs as a separate and  
30 searchable field. Such data shall be provided to the extent practicable  
31 for all contracts initiated six months after the effective date of this  
32 section;

33 (iv) [~~the amount of project tax exemptions granted, including for~~  
34 ~~state sales tax, local sales tax, county real property tax, local prop-~~  
35 ~~erty tax, school property tax, mortgage recording tax, the total~~  
36 ~~exemptions, and the total exemptions net of real property tax law~~  
37 ~~section four hundred eighty-five b~~] the total number of employees at all  
38 entities utilizing such economic development benefits as defined in  
39 paragraph (a) of subdivision one of this section, at the time of the  
40 agreement, including the number of full-time equivalents, provided that  
41 any project hires or part-time jobs shall be displayed in separate  
42 fields and may be converted to full-time equivalents and denoted as  
43 such, to the extent practicable for all contracts initiated six months  
44 after the effective date of this section;

45 (v) [~~the amount of payments in lieu of taxes agreed upon and actually~~  
46 ~~made to the county, local municipality, or school district, the total~~  
47 ~~amount of payments in lieu of taxes agreed upon and actually made, and~~  
48 ~~the net exemptions once the payments in lieu of taxes are subtracted~~  
49 ~~from the total project tax exemptions; and~~

50 (vi) ~~the total number of employees for the project prior to industrial~~  
51 ~~development agency status, estimate of jobs to be created, average esti-~~  
52 ~~imated annual salary of jobs to be created, annualized salary range of~~  
53 ~~jobs to be created, original estimate of jobs to be retained, estimated~~  
54 ~~average annual salary of jobs to be retained, current number of full-~~  
55 ~~time equivalents, number of full-time equivalent construction jobs~~  
56 ~~during the reporting fiscal year, and the net employment change] for any~~

1 economic development benefits as defined in paragraph (a) of subdivision  
2 one of this section that provides for job retention or job creation,  
3 that a qualified participant has been awarded, the total job creation  
4 commitments, job retention commitments, job creation actual number, and  
5 the job retention actual number, displayed in terms of classification,  
6 and in terms of full-time equivalents where any project hires or part-  
7 time jobs may be converted to full-time equivalents and denoted as such,  
8 the actual average wage by occupation or job classification and total  
9 payroll to be created as a result of the benefits, shall be provided,  
10 each displayed as separate and searchable fields;

11 (vi) for each individual project receiving aggregate economic develop-  
12 ment benefits, the six-digit code and category of business receiving the  
13 Incentive under the North American Industry Classification System  
14 adopted by the United States Office of Management and Budget as of Janu-  
15 ary first, two thousand twenty-two.

16 (vii) for each individual project receiving aggregate economic devel-  
17 opment benefits, the total number of employees employed by the qualified  
18 participant on the applicable closing date, and, separately, the number  
19 of such employees:

20 (A) Who reside in the zip code or zip codes where the project is  
21 located; and

22 (B) Who do not reside in the zip code or zip codes where the project  
23 is located;

24 (viii) for each individual project receiving aggregate economic devel-  
25 opment benefits, the aggregate number of hours of work performed by its  
26 employees during the reporting period and, separately, the number of  
27 hours of work performed by employees:

28 (A) Who reside in the zip code or zip codes where the project is  
29 located; and

30 (B) Who do not reside in the zip code or zip codes where the project  
31 is located;

32 (ix) for each individual project receiving aggregate economic develop-  
33 ment benefits, the actual average wage by occupation or job classifica-  
34 tion and total payroll to be created as a result of the benefits as of  
35 the applicable closing date by the number of such employees:

36 (A) Who reside in the zip code or zip codes where the project is  
37 located; and

38 (B) Who do not reside in the zip code or zip codes where the project  
39 is located;

40 (x) the total and separate amount of economic development benefits  
41 defined in paragraph (a) of subdivision one of this section received by  
42 a qualified participant to date;

43 (xi) the total public-private investment made to a project, total  
44 public funding received by a project, and project status;

45 (xii) details related to individual project compliance indicating  
46 whether, during the current reporting quarter, the entity managing the  
47 award has reduced, cancelled, or recaptured any economic development  
48 benefits or additional state economic development benefits from a quali-  
49 fied participant, and, if so, the total amount of the reduction, cancel-  
50 lation, or recapture. Separately, a notation of penalties assessed shall  
51 be displayed in a separate and searchable field, as well as the reasons  
52 therefor in another separate and searchable field;

53 (xiii) the ability to digitally select defined individual fields  
54 corresponding to any of the reported information from qualified partic-  
55 ipants to create unique database views;

1 (xiv) the ability to download the database in its entirety, or in  
2 part, in a common machine readable format;

3 (xv) a definition or description of terms for fields in the database;

4 (xvi) a summary of each separate economic development benefit defined  
5 in paragraph (a) of subdivision one of this section awarded to qualified  
6 participants;

7 (xvii) a user-friendly guide to outline the features and functionality  
8 of the database; and

9 (xviii) a dedicated email account for the public to direct questions  
10 related to the database, and the office mailing address, office tele-  
11 phone number, and name of the chief officer of the granting body.

12 2-a. (a) Each qualified participant with more than twenty-five employ-  
13 ees, on or before February first and August first of each calendar year,  
14 shall file with the authorities budget office the semiannual employee  
15 residency report described in this subdivision. The authorities budget  
16 office may not charge or collect a filing or other fee for such report.

17 (b) The semiannual employee residency report due February first is a  
18 report for a reporting period from July first to the ensuing closing  
19 date of the prior year; the semiannual employee residency report due  
20 August first is a report for a reporting period from January first to  
21 the ensuing closing date of that same year.

22 (c) The semiannual employee residency report shall contain, but not be  
23 limited to:

24 (i) The name of the qualified participant, both its official name and  
25 any doing-business-as name; and the six-digit code and category of busi-  
26 ness receiving the incentive under the North American Industry Classi-  
27 fication System adopted by the United States Office of Management and  
28 Budget as of January first, two thousand twenty-two;

29 (ii) The reporting period of the report;

30 (iii) The address or addresses of the qualified participant's place or  
31 places of business in the state;

32 (iv) The total number of employees employed by the qualified partic-  
33 ipant on the applicable closing date, and, separately, the number of  
34 such employees:

35 (A) Who reside in the zip code or zip codes where the project is  
36 located; and

37 (B) Who do not reside in the zip code or zip codes where the project  
38 is located;

39 (v) The aggregate number of hours of work performed by its employees  
40 during the reporting period and, separately, the number of hours of work  
41 performed by employees:

42 (A) Who reside in the zip code or zip codes where the project is  
43 located; and

44 (B) Who do not reside in the zip code or zip codes where the project  
45 is located;

46 (vi) The actual average wage by occupation or job classification and  
47 total payroll to be created as a result of the benefits as of the appli-  
48 cable closing date by the number of such employees:

49 (A) Who reside in the zip code or zip codes where the project is  
50 located; and

51 (B) Who do not reside in the zip code or zip codes where the project  
52 is located;

53 (vii) Any additional information, commentary or explanation that the  
54 qualified participant may choose to include; and

55 (viii) A certification by an authorized representative of the quali-  
56 fied participant with knowledge of the facts reported in the report

1 stating that the contents thereof are true and acknowledging the penalty  
2 for false certifications if the contents thereof are not true.

3 (d) Other than the name of the certifying representative required by  
4 paragraph (g) of this subdivision, the semiannual employee residency  
5 report shall not contain the name of any individual employee, such  
6 employee's residential street address, or such employee's specific wage,  
7 salary, or compensation, or any other similar personal information about  
8 any employee.

9 (e) Every semiannual employee residency report required by this subdi-  
10 vision is public information upon being filed with the department of  
11 economic development and shall be disclosed on demand to any person  
12 requesting the same under applicable public record laws.

13 (f) Each qualified participant shall keep and maintain records suffi-  
14 cient to establish the accuracy of each semiannual employee residency  
15 report for twenty-four months from the due date of each such report.

16 (g) The office may adopt and publish frequently asked questions and/or  
17 guidance documents necessary or appropriate to interpret this section  
18 and to guide and ensure compliance with this subdivision. The office may  
19 establish and provide a method for the electronic submission and filing  
20 of reports required by this subdivision.

21 4. None of the reporting requirements required by this section shall  
22 apply to the COVID-19 capital costs tax credit established pursuant to  
23 section forty-seven of the tax law.

24 5. The office shall utilize its powers and duties, including but not  
25 limited to those enumerated in sections six and six-a of this title, to  
26 ensure timely and accurate reporting of information for the semiannual  
27 employee residency report and local authorities searchable subsidy and  
28 economic development benefits database.

29 § 6. This act shall take effect on the one hundred eightieth day after  
30 it shall have become a law.