

STATE OF NEW YORK

10802

IN ASSEMBLY

April 1, 2026

Introduced by M. of A. BLUMENCRAZ -- read once and referred to the
Committee on Governmental Operations

AN ACT to amend the executive law, the public authorities law, the
economic development law, the environmental conservation law and the
transportation law, in relation to adding ethno-religious groups as
minority group members

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

1 Section 1. Short title. This act shall be known and may be cited as
2 the "MWBE Equality Act".

3 § 2. Paragraphs (c) and (d) of subdivision 8 of section 310 of the
4 executive law, as added by chapter 261 of the laws of 1988, are amended
5 and a new paragraph (e) is added to read as follows:

6 (c) Native American or Alaskan native persons having origins in any of
7 the original peoples of North America~~[-]~~;

8 (d) Asian and Pacific Islander persons having origins in any of the
9 Far East countries, South East Asia, the Indian subcontinent or the
10 Pacific Islands~~[-]~~; or

11 (e) Ethno-religious persons unified by a common religious and ethnic
12 background.

13 § 3. Subparagraphs (iii) and (iv) of paragraph (d) of subdivision 3 of
14 section 2879 of the public authorities law, as amended by chapter 669 of
15 the laws of 2022, are amended and a new subparagraph (v) is added to
16 read as follows:

17 (iii) Asian and Pacific Islander persons having origins in any of the
18 Far East, Southeast Asia, the Indian sub-continent or the Pacific
19 Islands; ~~[or]~~

20 (iv) Native American persons having origins in any of the original
21 peoples of North America~~[-]~~; or

22 (v) Ethno-religious persons unified by a common religious and ethnic
23 background.

24 § 4. Subdivisions 3 and 4 of section 210 of the economic development
25 law, as amended by chapter 669 of the laws of 2022, are amended to read
26 as follows:

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

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

4. "Minority group member" shall mean a United States citizen or permanent resident noncitizen who is and can demonstrate membership in one of the following groups:

(a) Black persons having origins in any of the Black African racial groups not of Hispanic origin;

(b) Hispanic persons of Mexican, Puerto Rican, Dominican, Cuban, Central or South American descent of either Indian or Hispanic origin, regardless of race;

(c) Asian and Pacific Islander persons having origins in the Far East, Southeast Asia, the Indian sub-continent or the Pacific Islands; ~~[or]~~

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

(e) Ethno-religious persons unified by a common religious and ethnic background.

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

In the performance of projects pursuant to this article minority and women-owned business enterprises shall be given the opportunity for meaningful participation. The department or the office shall establish measures and procedures to secure meaningful participation and identify those contracts and items of work for which minority and women-owned business enterprises may best bid to actively and affirmatively promote and assist their participation in the projects, so as to facilitate the award of a fair share of contracts to such enterprises; provided, however, that nothing in this article shall be construed to limit the ability of the department or office to assure that qualified minority and women-owned business enterprises may participate in the program. For purposes hereof, minority business enterprise shall mean any business enterprise which is at least fifty-one per centum owned by, or in the case of a publicly owned business, at least fifty-one per centum of the stock of which is owned by citizens or permanent resident noncitizens who are Black, Hispanic, Asian or American Indian, Pacific Islander ~~[or]~~, Alaskan natives or ethno-religious, and such ownership interest is real, substantial and continuing and have the authority to independently control the day to day business decisions of the entity for at least one year; and women-owned business enterprise shall mean any business enterprise which is at least fifty-one per centum owned by, or in the case of a publicly owned business, at least fifty-one per centum of the stock of which is owned by citizens or permanent resident noncitizens who are women, and such ownership interest is real, substantial and continuing and have the authority to independently control the day to day business decisions of the entity for at least one year.

§ 6. The opening paragraph of paragraph a of subdivision 2 of section 428 of the transportation law, as amended by chapter 669 of the laws of 2022, is amended to read as follows:

In the performance of transportation infrastructure renewal projects, minority and women-owned business enterprises shall be given the oppor-

1 tunity for meaningful participation. The governor shall establish meas-
2 ures and procedures to secure meaningful participation and identify
3 those contracts and items of work for which minority and women-owned
4 business enterprises may best bid to actively and affirmatively promote
5 and assist their participation in the department's construction and
6 procurement program for transportation infrastructure renewal projects,
7 so as to facilitate the award of a fair share of contracts to such
8 enterprises; provided, however, that nothing in this article shall be
9 construed to limit the ability of the governor to assure that qualified
10 minority and women-owned business enterprises may participate in the
11 transportation infrastructure renewal program. For purposes hereof,
12 minority business enterprise shall mean any business enterprise which is
13 at least fifty-one per centum owned by, or in the case of a publicly
14 owned business, at least fifty-one per centum of the stock of which is
15 owned by citizens or permanent resident noncitizens who are Black,
16 Hispanic, Asian ~~[or]~~, American Indian or ethno-religious, and such
17 ownership interest is real, substantial and continuing; and women-owned
18 business enterprise shall mean any business enterprise which is at least
19 fifty-one per centum owned by, or in the case of a publicly owned busi-
20 ness, at least fifty-one per centum of the stock of which is owned by
21 citizens or permanent resident noncitizens who are women, and such
22 ownership interest is real, substantial and continuing.

23 § 7. This act shall take effect immediately; provided that the amend-
24 ments to section 310 of the executive law made by section two of this
25 act shall not affect the repeal of such sections and shall be deemed
26 repealed therewith.