

STATE OF NEW YORK

9455

IN ASSEMBLY

January 6, 2026

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

AN ACT to amend the executive law, in relation to requiring that the annual report from the division of minority and women's business development contain information on the annual minority and women-owned business enterprise utilization and expenditure categorized by minority-owned enterprises, women-owned enterprises, and total utilization and expenditure, and be organized by certain industry categories

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

1 Section 1. Subdivision 4 of section 315 of the executive law, as
2 amended by a chapter of the laws of 2025 amending the executive law
3 relating to requirements of the annual report from the division of
4 minority and women's business development, as proposed in legislative
5 bills numbers S. 8393 and A. 7222, is amended to read as follows:

6 4. The division of minority and women's business development shall
7 issue an annual report which: (a) summarizes the report submitted by
8 each contracting agency pursuant to subdivision three of this section;
9 (b) contains such comparative or other information as the director deems
10 appropriate, including but not limited to goals compared to actual
11 participation of minority and women-owned business enterprises in state
12 contracting and a listing of annual participation rates for each agency,
13 the total number of certified minority and women-owned businesses for
14 that reporting year, the number of applications for new certifications
15 and recertifications including those approved, the average length of
16 time to determine an approval, the number of applications denied, the
17 basis for ~~[any]~~ denials and the average length of time to determine a
18 denial, and the total dollar value of state expenditures on certified
19 minority and women-owned business contracts and subcontracts for that
20 reporting year, ~~[each of the foregoing information categorized by the~~
21 ~~minority group that such business relies on for certification pursuant~~
22 ~~to this article and by gender,~~ to evaluate the effectiveness of the
23 activities undertaken by each such contracting agency to promote
24 increased participation by certified minority or women-owned businesses

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

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1 with respect to state contracts and subcontracts; (c) contains a summary
2 of all waivers of the requirements of subdivisions six and seven of
3 section three hundred thirteen of this article allowed by each contract-
4 ing agency during the period covered by the report, including a
5 description of the basis of the waiver request and the contracting agen-
6 cy's rationale for granting any such waiver; (d) describes any efforts
7 to create a database or other information storage and retrieval system
8 containing information relevant to contracting with minority and women-
9 owned business enterprises; (e) contains a summary of (i) all determi-
10 nations of violations of this article by a contractor or a contracting
11 agency made during the period covered by the annual report pursuant to
12 section three hundred sixteen-a of this article and (ii) the penalties
13 or sanctions, if any, assessed in connection with such determinations
14 and the rationale for such penalties or sanctions; and (f) contains
15 information on ~~[each contract identifying the following: (i) whether~~
16 ~~it is a contract for goods or services; (ii) whether the contract was~~
17 ~~awarded to a certified minority-owned business enterprise or a certified~~
18 ~~women-owned business enterprise and identifies which minority group~~
19 ~~member the minority-owned business enterprise relies on for certif-~~
20 ~~ication pursuant to this article; (iii) the name and business address of~~
21 ~~prime contractors and subcontractors providing services under such~~
22 ~~contract; and (iv) the dollar value of such contract]~~ the annual minori-
23 ty and woman-owned business enterprise utilization and expenditure cate-
24 gorized by minority-owned enterprises, women-owned enterprises, and
25 total utilization and expenditure and organized by the following indus-
26 try categories: (i) services including professional services, social
27 services, educational services, legal services, health services, and
28 business services; (ii) agriculture; (iii) mining; (iv) construction,
29 including building construction, heavy construction, and special trade
30 contractors; (v) manufacturing; (vi) transportation, communication and
31 sanitary services; (vii) wholesale or retail goods; (viii) construction
32 materials; and (ix) financial, insurance and real estate services.
33 Copies of the annual report shall be provided to the commissioner, the
34 governor, the comptroller, the temporary president of the senate, the
35 speaker of the assembly, the minority leader of the senate, the minority
36 leader of the assembly and shall also be made widely available to the
37 public via, among other things, publication on a website maintained by
38 the division of minority and women's business development.

39 § 2. This act shall take effect on the same date and in the same
40 manner as a chapter of the laws of 2025 amending the executive law
41 relating to requirements of the annual report from the division of
42 minority and women's business development, as proposed in legislative
43 bills numbers S. 8393 and A. 7222, takes effect.