STATE OF NEW YORK

9594

IN ASSEMBLY

January 21, 2026

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

AN ACT to amend the economic development law, in relation to establishing a small business content creator matching pilot program; and providing for the repeal of such provisions upon the expiration thereof

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

Section 1. The economic development law is amended by adding a new section 139-a to read as follows:

§ 139-a. Small business content creator matching pilot program. 1. For the purposes of this section, the following terms shall have the following meanings:

(a) "content creator" means a person who creates material to be shared publicly on a social media platform; and

(b) "small business" means a retail establishment that has annual gross revenues of less than five million dollars and employs twenty-five or fewer employees. For purposes of determining whether an entity qualifies as a small business, the revenues of any parent entity, any subsidiary entities, and any entities owned or controlled by a common parent entity shall be aggregated.

2. (a) The division shall establish a pilot program to match small businesses that are looking for support with marketing and advertisement with content creators who can use their social media platforms to bring attention to the small businesses they are matched with.

(b) The division shall engage in public outreach to assess the amount of interest content creators and small businesses have in participating in the program and shall post explanatory information about the program on the division's website.

3. (a) The division shall develop an application for small business enrollment in the pilot program established pursuant to subdivision two of this section. Such application shall require small businesses wishing to enroll in such program to submit the following information to the division:

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

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(i) the name of the small business;
(ii) the address of the small business;
(iii) the name, telephone number, and e-mail address of an individual associated with the small business who will serve as a point of contact for purposes of such program;
(iv) the preferred method of communication;
(v) the hours of operation of the small business;
(vi) a general description of the small business, including type of goods and products sold or services provided;
(vii) consent to share relevant business revenue and other information to assist the division in determining program eligibility and assessing the impact of the program; and
(viii) any other information deemed relevant by the division.
(b) The division shall develop an application for content creator enrollment in the pilot program established pursuant to subdivision two of this section. Such application shall require content creators wishing to enroll in such program to submit the following information to the division:
(i) name;
(ii) address, telephone number, and e-mail address;
(iii) social media platforms that the content creator posts publicly on;
(iv) links to social media platforms that the content creator intends to use as part of the program and the content creator's handle or user-name on each such platform; and
(v) any other information deemed relevant by the division.
4. The division shall determine the duration of the enrollment period for such program.
5. The division shall match content creators with small businesses from the applicant pool based on the division's determination that such content creator might be able to provide the marketing support the small business is seeking.
6. Within thirty days after the end of such enrollment period, the division shall notify each small business and each content creator that submitted an application pursuant to this subdivision whether they have been selected for participation in the program. The division shall notify each participant of their match and shall facilitate the connection between matched content creators and small businesses. If the division has rejected any applicants, the division shall notify such applicant and provide an explanation for the rejection.
7. The pilot program established pursuant to subdivision two of this section shall commence no later than one hundred eighty days after the effective date of this section. The duration of such program shall be one year.
8. No later than one year after the end of the pilot program established pursuant to subdivision two of this section, the division shall submit to the governor, the temporary president of the senate and the speaker of the assembly a report on such program. Such report shall include, but need not be limited to, the following information:
(a) the cost of such program;
(b) the number of small businesses that participated in such program;
(c) the number of content creators who participated in such program;
(d) an analysis of the effect the program had on revenue of small business participants;
(e) an analysis of the traits of content creators that led to increased revenue for small business participants; and

(f) any challenges experienced by the division and any known challenges experienced by the participants during the course of such program.

9. The division may promulgate rules necessary for the implementation of this section.

10. This section shall not be construed as a warranty of the completeness, accuracy, content, or fitness for any particular purpose of any information generated by a content creator for a small business, nor are any such warranties to be implied or inferred with respect to such information. The state shall not be held liable for any deficiencies in the completeness, accuracy, content, or fitness for any particular purpose or use of information provided by any third party through the pilot program established pursuant to this section. The state does not guarantee any particular result to participants in such program.

§ 2. This act shall take effect on the one hundred eightieth day after it shall have become a law and shall expire and be deemed repealed 3 years after such effective date.