

2019 Annual Report

**New York State Standing Committee  
on Commerce, Economic Development  
and Small Business**



**Senator Anna M. Kaplan**  
Chair



**ANNA M. KAPLAN**  
**NYS SENATOR, 7<sup>TH</sup> DISTRICT**

**CHAIR**  
COMMERCE, ECONOMIC DEVELOPMENT  
AND SMALL BUSINESS COMMITTEE

**COMMITTEES:**  
CHILDREN AND FAMILIES  
INTERNET AND TECHNOLOGY  
JUDICIARY  
MENTAL HEALTH AND  
DEVELOPMENTAL DISABILITIES  
TRANSPORTATION  
WOMEN'S ISSUES



**THE SENATE**  
**STATE OF NEW YORK**

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December 20, 2019

The Honorable Andrea Stewart-Cousins  
Temporary President and Majority Leader  
New York State Senate  
Albany, NY 12247

Dear Senator Stewart-Cousins:

I am pleased to transmit the Annual Report of the Senate's Standing Committee on Commerce, Economic Development and Small Business for the 2019 Legislative Session. As Chair, I am honored to lead such a critically important committee and am thankful for the opportunity to assist small business and support economic development in New York.

During the 2019 session, this committee met five times and reported twenty-nine bills. I was also pleased to tour New York State from Buffalo to Brookhaven holding nine Small Business Roundtable Discussions. At each of these roundtables I heard about the critical support various State programs provide to small businesses as well as robust discussion on what the Senate could be doing to assist Small Business.

I thank my colleagues who served on the Committee for their efforts and support of the work that was done in the committee this year, and I thank you for the continued support from the Majority Conference in the committee's operations.

Sincerely,

A handwritten signature in black ink that reads "Anna M. Kaplan". The signature is written in a cursive style with a horizontal line underlining the name.

Anna M. Kaplan  
Senator, 7th District





**2019 LEGISLATIVE SESSION REPORT**

**NEW YORK STATE SENATE  
STANDING COMMITTEE ON COMMERCE, ECONOMIC DEVELOPMENT AND SMALL  
BUSINESS**

**Senator Anna M. Kaplan, Chairperson**

Committee Members

Senator Jamaal T. Bailey Senator James Gaughran Senator Pete Harckham Senator Roxanne J. Persaud Senator James Sanders Jr.	Senator Pamela Helming Senator Fred Akshar Senator Phil Boyle
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Committee Staff

Rebecca A. Sheehan, Esq., Counsel  
Joseph E. Erdman, Committee Director

## **COMMITTEE JURISDICTION AND OVERVIEW**

During the 2019 Legislative Session, sixty-two Senate Bills were referred to the Committee for its review. Of these bills, twenty-nine were reported from the Committee, twelve were passed by the Senate only, and thirteen passed in both houses. Currently six bills reported by the Committee have been signed into law, with 7 pending. This work was conducted through a series of five committee meetings. A list of all bills that were reported from the committee is provided at the end of this report.

In addition to its regular meetings, I held ten small business roundtable discussions across New York. These discussions were meant to highlight the great working being done by New York's Entrepreneurship Assistance Centers in assisting small business, as well as to allow for a direct conversation between the Senate, local business, entities representing business, and New York State.

## COMMITTEE HIGHLIGHTS

The following key bills were acted on by the committee in 2019:

- **S. 1087 PERSAUD, ADDABBO, CARLUCCI, KAPLAN - Passed Both Houses**, awaiting action. Establishes the small business crime prevention services program to provide small businesses with information on strategies, best practices and programs offering training and assistance in prevention of crimes in and around the premises of small businesses or otherwise affecting small businesses, including but not limited to: assault, arson and other violent felony offenses; robbery, burglary, theft, identity theft counterfeiting, check and credit card fraud and other fraud; and vandalism, graffiti and other property damage; further provides that information on eligibility and applications for financial assistance be made available to small businesses; authorizes the New York state urban development corporation to provide loans, loan guarantees, interest subsidies and grants to small businesses, municipalities, not-for-profit corporations or other organizations for the purpose of preventing crimes against small businesses or on the premises or in the vicinity of small businesses.
- **S. 1265 GIANARIS, ADDABBO, JACOBS - Passed Senate**. Authorizes the use of innovative techniques to enhance public participation in the rule making process; provides that use of such techniques shall in no way otherwise diminish public participation in the rule making process; establishes a three year pilot project for seven major regulatory agencies to hold public hearings upon petition of 125 or more New York residents.
- **S. 2839 KAPLAN, GALLIVAN - Passed Senate**. Relates to improving evaluations of the potential impact of rules on jobs and employment opportunities.
- **S. 2842 KAPLAN – Chapter 512**. Authorizes state agencies to publish and transmit certain rule making notices by electronic means; provides for the provision of the state register by electronic means; authorizes the legislative administrative regulations review commission to accept data transmitted by electronic means.
- **S. 4114 CARLUCCI, JORDAN, KAPLAN - Chapter 262**. Reduces unnecessary barriers to electronic filing of applications for business permits with state agencies by allowing agency regulations to substitute an affirmation under penalty of perjury for a required sworn acknowledgement or oath.
- **S. 4888 PARKER, KAPLAN, SEPULVEDA - Chapter 448**. Requires state agencies to publish when they have entered into a state contract.
- **S. 5239 KAPLAN, BOYLE - Passed Senate**. Authorizes the empire state development corporation to develop a public awareness campaign promoting businesses located in New York state; requires the creation of the Buy New York Online Networking Directory to connect purchasers with business.
- **S. 5240 KAPLAN, JACOBS - Passed Senate**. Requires those state agencies that regulate small businesses to maintain a section on their websites where small businesses can get easy access to the information they need, provide feedback to the agency and seek assistance in complying with regulations

## TWO HOUSE BILLS

In 2019, thirteen of the sixty-two bills referred to the Standing Committee on Commerce, Economic Development and Small Business passed both houses of the Legislature. Of these bills, the Governor has signed nine.

Bill	Sponsor	Summary	Action (Chapter X of 2019, Veto X of 2019, or "On the Governor's Desk" if not yet acted on)
S. 232	Kennedy	<b>Establishes a small business energy assistance and advocacy services program as part of the division of small business to assist small businesses in accessing energy conservation, energy efficiency and renewable energy programs available through public and private sources.</b>	Veto 154 of 2019
S. 726A	Montgomery	<b>Relates to authorizing the issuance of a license to certain motion picture theatres; authorizes the issuance of a license to three parcels located in Brooklyn</b>	Veto 206 of 2019



S.1087	Persaud	<b>Establishes the small business crime prevention services program to provide small businesses with information on strategies, best practices and programs offering training and assistance in prevention of crimes in and around the premises of small businesses or otherwise affecting small businesses, including but not limited to: assault, arson and other violent felony offenses; robbery, burglary, theft, identity theft counterfeiting, check and credit card fraud and other fraud; and vandalism, graffiti and other property damage; further provides that information on eligibility and applications for financial assistance be made available to small businesses; authorizes the New York state urban development corporation to</b>	Veto 156 of 2019
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S.2842	Kaplan	<b>Authorizes state agencies to publish and transmit certain rule making notices by electronic means; provides for the provision of the state register by electronic means; authorizes the legislative administrative regulations review commission to accept data transmitted by electronic means.</b>	Chapter 512, of the Laws of 2019
S. 3281A	Kaplan	<b>Authorizes the sale of cider, mead, braggot and wine at games of chance</b>	Chapter 188, of the Laws of 2019
S. 4114	Carlucci	<b>Relates to electronic permit applications and electronic recordkeeping</b>	Chapter 262, of the Laws of 2019
S. 4575	May	<b>Establishes a program to provide education and training to individuals fifty years of age and older regarding the transition to an entrepreneur and small business developer</b>	Veto 153 of 2019

<b>S.4888</b>	<b>Parker</b>	<b>Relates to the publication of information regarding awards of state contracts</b>	<b>Chapter 448, of the Laws of 2019</b>
<b>S. 5095</b>	<b>Kennedy</b>	<b>Exempts certain property in Erie county from the prohibition of alcohol sales within a certain distance from a church</b>	<b>Chapter 280, of the Laws of 2019</b>
<b>S. 5427</b>	<b>Kaplan</b>	<b>Expands the number of barrels that a restaurant brewer may sell at retail</b>	<b>Chapter 655, of the Laws of 2019</b>
<b>S. 5675</b>	<b>Akshar</b>	<b>Allows the Lost Dog Cafe to have an entrance that is located within two hundred feet of a church, located in Broome county</b>	<b>Chapter 430, of the Laws of 2019</b>
<b>S. 5812</b>	<b>Kaplan</b>	<b>Relates to the time needed by small businesses and local governments to comply with new regulations</b>	<b>Chapter 577, of the Laws of 2019</b>

<b>S. 6198</b>	<b>Kaplan</b>	<b>Relates to an advisory panel on employee-owned enterprises within the division of small business services; extends provisions relating thereto</b>	<b>Chapter 372, of the Laws of 2019</b>
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**SUMMARY OF COMMITTEE ACTIVITY**

<b>Bill</b>	<b>Sponsor</b>	<b>Summary</b>	<b>Significant Action</b>
<b>S. 232</b>	<b>Kennedy</b>	<b>Establishes a small business energy assistance and advocacy services program as part of the division of small business to assist small businesses in accessing energy conservation, energy efficiency and renewable energy programs available through public and private sources</b>	<b>Veto 154 f 2019</b>
<b>S. 325</b>	<b>Akshar</b>	<b>Provides that each agency shall designate an existing employee to serve as its liaison to small businesses regulated by such agency; further provides the duties of such small business liaison</b>	<b>Reported from Committee</b>

<b>S. 479A</b>	<b>Rivera</b>	<b>Establishes the task force on social innovation, entrepreneurship and enterprise to study and report on developing and sustaining socially innovative programs and businesses.</b>	<b>Reported from Committee</b>
<b>S. 726A</b>	<b>Montgomery</b>	<b>Relates to authorizing the issuance of a license to certain motion picture theatres; authorizes the issuance of a license to three parcels located in Brooklyn.</b>	<b>Veto 206 of 2019</b>
<b>S. 783A</b>	<b>Breslin</b>	<b>Establishes the transitional green development program; provides for a two-year grant to be funded through the empire state development corporation not to exceed \$150,000</b>	<b>Passed Senate</b>

S. 1087	Persaud	<b>Establishes the small business crime prevention services program to provide small businesses with information on strategies, best practices and programs offering training and assistance in prevention of crimes in and around the premises of small businesses or otherwise affecting small businesses, including but not limited to: assault, arson and other violent felony offenses; robbery, burglary, theft, identity theft counterfeiting, check and credit card fraud and other fraud; and vandalism, graffiti and other property damage; further provides that information on eligibility and applications for financial assistance be made available to small businesses; authorizes the New York state urban development corporation to</b>	Veto 156 of 2019
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S. 1110	Kennedy	<b>Relates to selling New York state labeled alcoholic beverages at retail for consumption on the premises of a holder of a farm distillery license</b>	Passed Senate
S. 1130A	Benjamin	<b>Relates to notification requirements for a seven day license to sell liquor at retail for consumption off the premises</b>	Reported from Committee
S. 1265	Gianaris	<b>Authorizes the use of innovative techniques to enhance public participation in the rule making process; provides that use of such techniques shall in no way otherwise diminish public participation in the rule making process; establishes a three year pilot project for seven major regulatory agencies to hold public hearings upon petition of 125 or more New York residents.</b>	Passed Senate



S. 2184	Bailey	Relates to the establishment of a state university-based center for employee ownership.	Passed Senate
S. 2412	Kaplan	Relates to authorizing small business tax-deferred savings accounts.	Reported from Committee
S. 2827	May	Relates to direct interstate and intrastate cider shipments; establishes requirements regarding age verification and shipping limits.	Passed Senate
S.2842	Kaplan	Authorizes state agencies to publish and transmit certain rule making notices by electronic means; provides for the provision of the state register by electronic means; authorizes the legislative administrative regulations review commission to accept data transmitted by electronic means.	Chapter 512, of the Laws of 2019

S. 2899	Kaplan	<b>Provides that rules that require changes to compliance or billing standards that could result in eventual withholdings or takebacks due to Medicaid auditing and/or self-disclosure obligations shall become effective no sooner than ninety days from the publication of adoption of the rules.</b>	Passed Senate
S. 3281A	Kaplan	<b>Authorizes the sale of cider, mead, braggot and wine at games of chance.</b>	Chapter 188 of the Laws of 2019
S. 4114	Carlucci	<b>Relates to electronic permit applications and electronic recordkeeping.</b>	Chapter 262 of the Laws of 2019
S. 4429	Parker	<b>Requires the commissioner of economic development to publicize certain information related to programs for small business enterprises and minority and women-owned business enterprises.</b>	Passed Senate

<b>S. 4575</b>	<b>May</b>	<b>Establishes a program to provide education and training to individuals fifty years of age and older regarding the transition to an entrepreneur and small business developer.</b>	<b>Veto 153 of 2019</b>
<b>S. 4661</b>	<b>Kaminsky</b>	<b>Requires certain licenses to brew or sell beer to include the certificate of authority number.</b>	<b>Passed Senate</b>
<b>S. 4888</b>	<b>Parker</b>	<b>Relates to the publication of information regarding awards of state contracts.</b>	<b>Chapter 448 of the Laws of 2019</b>
<b>S. 5095</b>	<b>Kennedy</b>	<b>Exempts certain property in Erie county from the prohibition of alcohol sales within a certain distance from a church.</b>	<b>Chapter 280 of the Laws of 2019</b>

S. 5239	Kaplan	<b>Authorizes the empire state development corporation to develop a public awareness campaign promoting businesses located in New York state; requires the creation of the Buy New York Online Networking Directory to connect purchasers with businesses located in New York.</b>	Passed Senate
S. 5240	Kaplan	<b>Relates to the provision of regulatory information to small businesses through the establishment of a small business regulatory nexus by certain agencies.</b>	Passed Senate
S. 5427	Kaplan	<b>Expands the number of barrels that a restaurant brewer may sell at retail.</b>	Chapter 655, of the Laws of 2019
S. 5675	Akshar	<b>Allows the Lost Dog Cafe to have an entrance that is located within two hundred feet of a church, located in Broome county.</b>	Chapter 430 of the Laws of 2019

S. 5812	Kaplan	<b>Relates to the time needed by small businesses and local governments to comply with new regulations.</b>	Chapter 577, of the Laws of 2019
S. 6037A	Savino	<b>Relates to the development and creation of distributed ledger technology, which is a mathematically secured, chronological, and decentralized consensus ledger or database, whether maintained via internet interaction, peer-to-peer network, or otherwise used to authenticate, record, share and synchronize transactions in their respective electronic ledgers or databases, and business entities that develop distributed ledger technology</b>	Passed Senate

<b>S. 6198</b>	<b>Kaplan</b>	<b>Relates to an advisory panel on employee-owned enterprises within the division of small business services; extends provisions relating thereto.</b>	<b>Chapter 372 of the Laws of 2019</b>
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**NEW YORK STATE SENATE**  
**STANDING COMMITTEE**

ON COMMERCE, ECONOMIC DEVELOPMENT, AND  
SMALL BUSINESS