

Annual Report 2022

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

## Senator Anna M. Kaplan

Chair



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Senator Andrea Stewart-Cousins  
President Pro Tempore  
NYS Senate Majority Leader



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

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

**COMMITTEES:  
ALCOHOLISM AND SUBSTANCE ABUSE  
ENVIRONMENTAL CONSERVATION  
JUDICIARY  
PROCUREMENT AND CONTRACTS  
TRANSPORTATION  
WOMEN'S ISSUES**



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December 2022

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 2022 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 2022 session, this committee met five times and reported thirty-one bills. This Committee also continued to be active by co-hosting a Public Hearing to examine the effectiveness of business subsidies and tax incentives in meeting New York States economic development goals in order to identify any legislative and policy reforms.

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 blue ink that reads 'Anna M. Kaplan'. The signature is written in a cursive style with a horizontal line underneath the name.

New York State Senator  
7<sup>th</sup> Senate District



**2022 LEGISLATIVE SESSION REPORT**

**NEW YORK STATE SENATE  
STANDING COMMITTEE ON Commerce, Economic Development and Small Business**

**Senator Anna M. Kaplan, Chairperson**

Committee Members

Senator Cordell Cleare Senator Michelle Hinchey Senator Jessica Ramos Senator Sean M. Ryan Senator James Sanders Jr.	Senator Mike Martucci Senator Pamela A. Helming Senator James Tedisco
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Committee Staff

Rebecca A. Sheehan, Counsel  
Joseph E. Erdman, Committee Director and Clerk



## **COMMITTEE JURISDICTION AND OVERVIEW**

The New York State Senate Standing Committee on Commerce, Economic Development, and Small Business has legislative oversight responsibilities for issues concerning small and large businesses arising under the Economic Development Law and the State Administrative Procedures Act. The Committee also handles issues arising under specific provisions of five other laws: Alcoholic Beverage Control Law provisions relating to beer and cider as well as liquor licensing and fees; Banking Law provisions concerning the New York business development corporation and small business investment companies; an Executive Law provision providing for the Office of Business Permits; Public Authorities Law provision pertaining to NY Job Development Authority, Long Island Job Development Authority, and Public Health Law's NYS Small Business Health Insurance Partnership Program

During the 2022 Legislative Session, eighty-six bills were referred to the Committee for its review. Of these bills, twenty-nine were reported from the Committee. Eighteen were passed by the Senate, ten passed in both houses, and five of these bills have been chaptered to date. 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, the Committee co-hosted a Joint Public Hearing with the Finance and Investigations and Government Operations Committees examining the effectiveness of business subsidies and tax incentives in meeting New York State's economic development goals in order to identify any legislative and policy reforms.

## COMMITTEE HIGHLIGHTS

The following key bills were acted on by the committee in 2022:

- **S. 25-C – KAPLAN** - Requires the Empire State Development Corporation, in consultation with SUNY, CUNY, and the Commission on Independent Colleges and Universities to conduct a study on the economic impact of the establishment of kitchen incubators.
- **S. 28-A - KAPLAN, COONEY, HELMING, HINCHEY, JACKSON, JORDAN, MARTUCCI, RATH, STEC, TEDISCO** - 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.
- **S. 3098-D - KAPLAN, ADDABBO, GAUGHRAN, HINCHEY, MARTUCCI** - Establishes the New York state advisory council on coronavirus economic recovery and workforce development which will work to promote economic development and collaboration opportunities.
- **S. 3142 - GOUNARDES, HELMING, HINCHEY, JORDAN, MARTUCCI** - Provides assistance to small businesses in the procurement and purchase of personal protective equipment for employees; directs bulk purchasing of PPE by the division for small business; provides a tax credit for the cost of such PPE to small business employers.
- **S. 3313 - BAILEY, ADDABBO, COMRIE, GOUNARDES, HOYLMAN, MAY, PARKER, PERSAUD, RAMOS, SANDERS** - Relates to the establishment of a state university-based center for employee ownership.
- **S. 8325 - KAPLAN, SERINO** - Establishes a matching grant program for small businesses receiving phase one or phase two funding under the federal small business innovation research program or the small business technology transfer program to promote commercialization and cover certain expenses.
- **S. 8363 – KAPLAN** - Provides for the creation of an online, searchable database to catalogue workforce development programs and funding available in the state.
- **S. 8596 - KRUEGER, KAPLAN, CLEARE, HARCKHAM, RAMOS, SALAZAR** - Establishes the Supply Chain Transparency Assistance Program to encourage the shifting of the state's economy toward more ethical and sustainable supply chains.
- **S. 8741 - HINCHEY, MAY** - Enacts the New York textile act to accelerate the growth of the animal and plant fiber growing, processing, and textile manufacturing industry in New York.
- **S. 9467 - COONEY, MANNION, BRESLIN** - Allows for eligibility of green CHIPS projects in the Excelsior tax credit program.



## TWO HOUSE BILLS

In 2022, twelve of the eighty-six 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 ten and vetoed none. Currently two bills are pending Executive action.

<b>Bill</b>	<b>Sponsor</b>	<b>Summary</b>	<b>Action</b>
<b>S704B</b>	<b>Kaplan</b>	Authorizes the empire state development corporation to develop a public awareness campaign promoting businesses located in New York State	<b>On the Governor's Desk</b>
<b>S5438A</b>	<b>Hinchey</b>	Provides distillers with the same privileges currently enjoyed by other New York manufacturers	<b>Chapter 315 of the Laws of 2022</b>
<b>S6927A</b>	<b>Serino</b>	Relates to a license to sell liquor at retail for consumption on certain premises	<b>Chapter 247 of the Laws of 2022</b>
<b>S7913</b>	<b>Kaplan</b>	Authorizes a licensee with a license to sell wine at retail for consumption on the premises to include the sale of shochu on such premise to be consumed under the same terms and conditions	<b>Chapter 255 of the Laws of 2022</b>
<b>S8363</b>	<b>Kaplan</b>	Provides for the creation of an online, searchable database to catalogue workforce development programs in the state	<b>On the Governor's Desk</b>
<b>S8741A</b>	<b>Hinchey</b>	Enacts the New York Textile Act	<b>Chapter 572 of the Laws of 2022</b>
<b>S8897</b>	<b>May</b>	Provides for a license to sell liquor at retail for consumption on certain premises	<b>Chapter 520 of the Laws of 2022</b>
<b>S9069</b>	<b>Helming</b>	Relates to a license to sell liquor at retail for consumption on certain premises	<b>Chapter 347 of the Laws of 2022</b>
<b>S9371</b>	<b>Ryan</b>	Relates to a license to sell liquor at retail for consumption on certain premises	<b>Chapter 353 of the Laws of 2022</b>

<b>S9383</b>	<b>Kavanagh</b>	Relates to the siting of certain premises licensed to sell liquor for consumption on the premises	<b>Chapter 355 of the Laws of 2022</b>
<b>S9385</b>	<b>Kavanagh</b>	Relates to an exemption for certain property from the prohibition of alcohol sales within a certain distance from a school	<b>Chapter 356 of the Laws of 2022</b>
<b>S9467</b>	<b>Cooney</b>	Allows for eligibility of green CHIPS projects in the Excelsior tax credit program	<b>Chapter 494 of the Laws of 2022</b>

**SUMMARY OF COMMITTEE ACTIVITY**

<b>Bill</b>	<b>Sponsor</b>	<b>Summary</b>	<b>Significant Action</b>
<b>S22A</b>	<b>Kaplan</b>	Relates to authorizing small business tax-deferred savings accounts.	<b>Reported from Committee</b>
<b>S25C</b>	<b>Kaplan</b>	Requires the Empire State Development Corporation, in consultation with SUNY, CUNY, and the Commission on Independent Colleges and Universities to conduct a study on the economic impact of the establishment of kitchen incubators	<b>Passed Senate</b>
<b>S28A</b>	<b>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</b>
<b>S344</b>	<b>Kaplan</b>	Relates to the effectiveness of certain rules adopted pursuant to the state administrative procedure act	<b>Passed Senate</b>
<b>S556</b>	<b>May</b>	Relates to direct interstate and intrastate cider shipments	<b>Passed Senate</b>
<b>S704B</b>	<b>Kaplan</b>	Authorizes the empire state development corporation to develop a public awareness campaign promoting businesses located in New York state	<b>On the Governor's Desk</b>
<b>S3098D</b>	<b>Kaplan</b>	Establishes the New York state advisory council on coronavirus economic recovery and workforce development	<b>Passed Senate</b>
<b>S3142</b>	<b>Gounardes</b>	Relates to providing assistance to small businesses in the procurement and purchase of personal protective equipment for employees	<b>Reported from Committee</b>
<b>S3313</b>	<b>Bailey</b>	Relates to the establishment of a	<b>Passed Senate</b>

		state university-based center for employee ownership; repealer	
<b>S3471</b>	<b>Kennedy</b>	Relates to the excelsior jobs program and certain incentives for medical equipment projects within such program	<b>Passed Senate</b>
<b>S3618</b>	<b>Ortt</b>	Enacts the "red tape reduction act"	<b>Reported from Committee</b>
<b>S3999A</b>	<b>Kennedy</b>	Makes certain liquor license fees payable in installments	<b>Reported from Committee</b>
<b>S5438A</b>	<b>Hinchey</b>	Provides distillers with the same privileges currently enjoyed by other New York manufacturers	<b>Chapter 315 of the Laws of 2022</b>
<b>S5894</b>	<b>Parker</b>	Requires the empire state development corporation to conduct a study on the economic impact of the Labor Day Parade (West Indian Carnival)	<b>Reported from Committee</b>
<b>S6072A</b>	<b>Kaplan</b>	Allows bed and breakfasts to sell cider, liquor, beer and wine	<b>Passed the Senate</b>
<b>S6397</b>	<b>Kaplan</b>	Requires certain notices of procurement contracts to be made available on the internet for at least five days	<b>Reported from Committee</b>
<b>S6927A</b>	<b>Serino</b>	Relates to a license to sell liquor at retail for consumption on certain premises	<b>Chapter 247 of the Laws of 2022</b>
<b>S7004</b>	<b>Skoufis</b>	Repeals section 153 of the economic development law relating to the Explore New York state grant program	<b>Passed Senate</b>
<b>S7913</b>	<b>Kaplan</b>	Authorizes a licensee with a license to sell wine at retail for consumption on the premises to include the sale of shochu on such premise to be consumed under the same terms and conditions	<b>Chapter 255 of the Laws of 2022</b>
<b>S8259</b>	<b>Reichlin-Melnick</b>	Relates to the enforcement of violations	<b>Advanced to 3<sup>rd</sup> reading</b>

<b>S8325</b>	<b>Kaplan</b>	Establishes a matching grant program for certain small businesses receiving funding under the federal small business innovation research program or the small business technology transfer program	<b>Advanced to 3<sup>rd</sup> reading</b>
<b>S8363</b>	<b>Kaplan</b>	Provides for the creation of an online, searchable database to catalogue workforce development programs in the state	<b>On the Governor's Desk</b>
<b>S8596</b>	<b>Krueger</b>	Establishes the Supply Chain Transparency Assistance Program	<b>Advanced to 3<sup>rd</sup> reading</b>
<b>S8741A</b>	<b>Hinchey</b>	Enacts the New York textile act	<b>Chapter 572 of the Laws of 2022</b>
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**Standing Committee on Commerce,**

**Economic Development and Small Business**