



**State of New York
Empire Zones Program
Process For Reviewing and Approving
APPLICATION FOR JOINT CERTIFICATION OF AN EMPIRE ZONE BUSINESS ENTERPRISE**

The following description of the approval process for Empire Zone Certification applications is based on New York State regulations (Section 11.5 of Part 11 of Chapter II, Title 5 NYCRR). **Submission of an incomplete application or an application with incorrect or fraudulent information will result in a delay of approval for, or a denial of, certification.**

Completed applications for certification must be submitted by the business enterprise to the local zone for approval by the local zone administration board (ZAB) and local zone certification officer (ZCO). The local zone certification officer must approve or disapprove the completed application within **10 business days** of receiving a completed application from the ZAB. An application is deemed complete after approval by the ZAB. A completed application means the official Empire Zone certification application form has been filled out in its entirety and all required information is provided. If an application is incomplete, the local zone should return the application to the applicant for completion.

If the local zone administration board or certification officer disapproves the application, the board or officer must notify the business enterprise in writing, specifying the grounds for disapproval, and send a copy of such notification and the application to the Commissioner of Economic Development. If the application is approved, it must be delivered to the Commissioner of Economic Development.

Within **five business days** of receiving the completed and signed copy of an application approved by the ZAB and ZCO, the Commissioner of Economic Development shall deliver one copy to the Commissioner of Labor. However, if the application is missing any information, the Commissioner of Economic Development must first notify the local zone. The local zone must provide the requested information to the Commissioner of Economic Development within **10 business days** from the receipt of the notification. If the local zone fails to provide the requested information within the **10 business days**, the Commissioner of Economic Development shall disapprove the application.

Within **15 business days** of receipt of a copy of an application from the Commissioner of Economic Development, the Commissioner of Labor shall approve or disapprove the application. Provided, however, that within **10 business days** of receipt of the copy of the application from the Commissioner of Economic Development, the Commissioner of Labor shall notify the applicant of all deficiencies, and the applicant has **15 business days** from the mailing of the notification to correct any deficiencies. If the applicant fails to correct the deficiencies within the time specified, the Commissioner of Labor shall disapprove the application.

If the Commissioner of Labor approves the application, the copy is delivered to the Commissioner of Economic Development. The Commissioner of Economic Development must approve or disapprove of the application within **five business days** of receiving a copy from the Commissioner of Labor.

Once the Commissioner of Economic Development approves the application, a numbered certificate is issued and delivered to the local zone authorizing the business to operate as an Empire Zone enterprise. The local certification officer must sign and issue to the applicant the numbered certificate of Empire Zone joint certification, and send copies to the Commissioners of Labor, Economic Development and Taxation and Finance.

The effective date of certification for an approved application is the date the local zone certification officer approves the application as indicated by his or her signature and the date such signature was affixed to the application.

If at any time during the review process, an application is disapproved, the grounds for disapproval will be specified and provided to the applicant by the local zone.