



## Legislation Text

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By Council Members Riley, Stevens, Hanif, Won, Feliz, Salaam, Farías, De La Rosa, Williams, Ossé, Louis, Banks, Hudson and Narcisse

A Local Law in relation to establishing a pilot program to match small businesses with social media content creators for assistance with marketing and advertising, and providing for the repeal of such provisions upon the expiration thereof

Be it enacted by the Council as follows:

Section 1. a. Definitions. For purposes of this local law, the following terms have the following meanings:

Content creator. The term “content creator” means a person who creates material to be shared publically on a social media platform.

Commissioner. The term “commissioner” means the commissioner of small business services.

Department. The term “department” means the department of small business services.

Small business. The term “small business” means a retail establishment that has annual gross revenues of less than \$5,000,000 and employs 25 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.

b. Small business content creator matching pilot program. The commissioner 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.

c. Outreach. The commissioner 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 department's website.

d. Enrollment. 1. The commissioner shall develop an application for small business enrollment in the pilot program established pursuant to subdivision b of this section. Such application shall require small businesses wishing to enroll in such program to submit the following information to the department:

- (a) The name of the small business;
- (b) The address of the small business;
- (c) 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;
- (d) The preferred method of communication;
- (e) The hours of operation of the small business;
- (f) A general description of the small business, including type of goods and products sold or services provided;
- (g) Consent to share relevant business revenue and other information to assist the department in determining program eligibility and assessing the impact of the program; and
- (h) Any other information deemed relevant by the commissioner.

2. The commissioner shall develop an application for content creator enrollment in the pilot program established pursuant to subdivision b of this section. Such application shall require content creators wishing to enroll in such program to submit the following information to the department:

- (a) Name;
- (b) Address, telephone number, and e-mail address;
- (c) Social media platforms that the content creator posts publically on;
- (d) Links to social media platforms that the content creator intends to use as part of the program and the content creator's handle or username on each such platform; and

(e) Any other information deemed relevant by the commissioner.

3. The commissioner shall determine the duration of the enrollment period for such program.

4. The commissioner shall match content creators with small businesses from the applicant pool based on the department's determination that such content creator might be able to provide the marketing support the small business is seeking.

5. Within 30 days after the end of such enrollment period, the department 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 department shall notify each participant of their match and shall facilitate the connection between matched content creators and small businesses. If the department of small business services has rejected any applicants, the department shall notify such applicant and provide an explanation for the rejection.

e. Implementation. The pilot program established pursuant to subdivision b of this section shall commence no later than 180 days after the effective date of this local law. The duration of such program shall be 1 year.

f. Report. No later than 1 year after the end of the pilot program established pursuant to subdivision b of this section, the commissioner shall submit to the mayor and the speaker of the council a report on such program. Such report shall include, but need not be limited to, the following information:

1. The cost of such program;

2. The number of small businesses that participated in such program;

3. The number of content creators who participated in such program;

4. An analysis of the effect the program had on revenue of small business participants;

5. An analysis of the traits of content creators that led to increased revenue for small business participants;

6. Any challenges experienced by the department and any known challenges experienced by the

participants during the course of such program.

g. The commissioner may promulgate rules necessary for the implementation of this local law.

h. This local law 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 city 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 local law. The city does not guarantee any particular result to participants in such program.

§ 2. This local law takes effect 180 days after it becomes law and expires and is deemed repealed 3 years after it becomes law. Session 13

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