



NFIB NEW YORK

2025 LEGISLATIVE AGENDA

- NFIB is a member-driven organization representing more than 11,000 small businesses across New York State.
- There are close to 500,000 small businesses with employees in New York, employing 40 percent of the state's private-sector workforce, over 3 million New Yorkers. A staggering 98 percent of New York's businesses have fewer than 100 employees.
- Small businesses enrich their communities, with 90 percent of small business owners financially supporting community or civic groups, 63 percent providing in-kind contributions, and 76 percent volunteering their time.
- A pro-small business agenda is crucial to tackling affordability, growing our economy, and stemming the alarming rates of outmigration.

01

UNEMPLOYMENT INSURANCE

- New York's Unemployment Insurance (UI) Trust Fund remains \$6 billion in debt from the pandemic. While other states spent federal COVID relief on addressing their UI debt, New York neglected the UI trust fund.
- The state's lack of assistance has resulted in the highest possible state UI taxes, increased federal taxes (FUTA), and yearly interest assessment surcharge (IAS), costing small businesses, on average, an additional \$400 per employee above pre-pandemic levels.

Since 2020, NFIB has been sounding the alarm on UI, and has strongly supported paying off the UI debt. Small businesses should not continue to shoulder this burden caused by the pandemic.

02

HALTING COSTLY LAWSUITS

- New York must thwart the hundreds of lawsuits related to manual worker weekly pay violations, which is putting small businesses at risk of closure. These multi-million-dollar lawsuits are filed even though employees were **PAID in full**; the only error was paying bi-weekly instead of weekly.
- New York must stop including a "private right of action" in legislation. These provisions are frequently exploited, extorting small businesses into quick settlements. New York households already pay the highest tort costs in the nation - \$7,027 per household.

NFIB strongly supports halting costly lawsuits and opposes new "private rights of action."

03

LOWERING TAXES AND FEES

- New York continues to lead the nation with the highest taxes. The state has the highest individual income tax rates (50th), and one of the worst property tax (47th) and sales tax rates (42nd) in the country. High taxes make New York unaffordable, uncompetitive, and stifles economic growth.
- Credit and debit card "swipe fees", typically between 2 and 2.5 percent, are assessed on the total transaction, including sales tax. Small businesses should not be required to pay a swipe fee on state taxes; it is costing small businesses and consumers millions per year.

NFIB strongly supports lowering taxes and reigning in out-of-control credit card swipe fees.

04

LIMITING REGULATIONS

- Since 2021, there have been at least 25 new laws, regulations, taxes, or legal liabilities that small businesses must comply or contend with. Small business owners do not have legal or human resource staff, or the financial resources, to continue navigating the unending barrage of new regulations and red tape.
- A full review of the state's regulations, economic development programs, and procurement and contracting requirements is necessary to ease the burdens on small business owners and improve the business climate.

NFIB strongly opposes passage of any additional mandates, regulations, and requirements that make it more expensive and difficult to do business in the Empire State.

05

ENERGY AFFORDABILITY

- New York's energy and climate policies contain unachievable electrification targets that will impact energy reliability and add substantial (and unknown) costs to the state's small businesses and economy.
- DEC's Advanced Clean Trucks (ACT) Rule, now in effect, requiring medium- and heavy-duty vehicle manufacturers to sell an increasing percentage of their total sales in New York State as ZEVs, will lead to higher costs and supply chain issues as the state lacks the necessary infrastructure and subsidy programs.

NFIB strongly supports a full cost analysis of the state's electrification and energy mandates, and a delay in the implementation of DEC's ACT rule.