

7916

2013-2014 Regular Sessions

I N   A S S E M B L Y

June 10, 2013

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Introduced by M. of A. MORELLE, COOK, SCARBOROUGH, RIVERA, GALEF, ROBERTS, ROZIC -- Multi-Sponsored by -- M. of A. ABBATE, ARROYO, MILLMAN, MOSLEY, PEOPLES-STOKES, SWEENEY -- read once and referred to the Committee on Consumer Affairs and Protection

AN ACT to amend the general business law and the executive law, in relation to automatic sprinkler system requirements for one- and two-family dwellings; and providing for the repeal of such provisions upon certain conditions

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1     Section 1. The general business law is amended by adding a new article  
2     35-F to read as follows:

3     ARTICLE 35-F

4     FIRE SPRINKLER INFORMATION

5     SECTION 759.     DEFINITIONS.

6                 759-A. DISCLOSURE OF AUTOMATIC FIRE SPRINKLER SYSTEM INFORMATION.  
7     TION.

8     S 759. DEFINITIONS. WHEN USED IN THIS ARTICLE, THE FOLLOWING TERMS  
9     SHALL HAVE THE FOLLOWING MEANINGS:

10     1. "BUILDER" MEANS ANY PERSON, CORPORATION, PARTNERSHIP OR OTHER ENTI-  
11     TY CONTRACTING WITH AN OWNER FOR THE CONSTRUCTION OF A ONE- OR TWO-FAMI-  
12     LY RESIDENTIAL DWELLING HAVING LESS THAN THREE STORIES.

13     2. "BUYER" MEANS ANY PERSON OR PERSONS WHO HAVE CONTRACTED OR WHO  
14     INTEND TO CONTRACT WITH A BUILDER FOR THE CONSTRUCTION OF A ONE- OR  
15     TWO-FAMILY RESIDENTIAL DWELLING HAVING LESS THAN THREE STORIES.

16     S 759-A. DISCLOSURE OF AUTOMATIC FIRE SPRINKLER SYSTEM INFORMATION. A  
17     BUILDER OF A ONE- OR TWO-FAMILY RESIDENTIAL DWELLING HAVING LESS THAN  
18     THREE STORIES, PRIOR TO ENTERING INTO A CONTRACT FOR CONSTRUCTION OF  
19     SUCH DWELLING WITH A BUYER, SHALL PROVIDE THE BUYER WITH A COPY OF WRIT-  
20     TEN MATERIALS PREPARED BY THE OFFICE OF FIRE PREVENTION AND CONTROL  
21     PURSUANT TO SUBDIVISION TWENTY OF SECTION ONE HUNDRED FIFTY-SIX OF THE

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets  
[ ] is old law to be omitted.

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1 EXECUTIVE LAW, WHICH DETAILS THE BENEFITS OF AND INCLUDES THE COSTS  
2 ASSOCIATED WITH THE INSTALLATION AND MAINTENANCE OF AN AUTOMATIC FIRE  
3 SPRINKLER SYSTEM. UPON REQUEST OF THE BUYER, THE BUILDER SHALL, AT THE  
4 BUYER'S EXPENSE, INSTALL AN AUTOMATIC FIRE SPRINKLER SYSTEM IN SUCH ONE-  
5 OR TWO-FAMILY RESIDENTIAL DWELLING HAVING LESS THAN THREE STORIES.

6 S 2. Section 156 of the executive law is amended by adding a new  
7 subdivision 20 to read as follows:

8 20. PROVIDE WRITTEN MATERIALS TO CONSUMERS AND BUILDERS WHICH DETAIL  
9 THE BENEFITS OF AND INCLUDE THE COSTS ASSOCIATED WITH THE INSTALLATION  
10 AND MAINTENANCE OF AN AUTOMATIC FIRE SPRINKLER SYSTEM FOR A ONE- OR  
11 TWO-FAMILY RESIDENTIAL DWELLING.

12 S 3. This act shall take effect on the one hundred twentieth day after  
13 it shall have become a law; provided that, effective immediately, the  
14 office of fire prevention and control is authorized and directed to  
15 prepare the materials required by subdivision 20 of section 156 of the  
16 executive law, as added by section two of this act, on or before such  
17 effective date; and provided, further, that this act shall expire and be  
18 deemed repealed upon the effective date of provisions of the New York  
19 state uniform fire prevention and building code which are equivalent to  
20 the terms of section 312.2 (relating to automatic fire sprinkler systems  
21 in one- or two-family dwellings under three stories) of the Interna-  
22 tional Residential Code (2009 edition) or any successor revisions ther-  
23 eof requiring fire sprinklers for one- or two-family dwellings under  
24 three stories; provided that the state fire administrator shall notify  
25 the legislative bill drafting commission upon the adoption of such  
26 provisions of the New York state uniform fire prevention and building  
27 code in order that the commission may maintain an accurate and timely  
28 effective data base of the official text of the laws of the state of New  
29 York in furtherance of effectuating the provisions of section 44 of the  
30 legislative law and section 70-b of the public officers law.