S T A T E O F N E W Y O R K

4610--A

Cal. No. 945

2013-2014 Regular Sessions

I N S E N A T E

April 15, 2013

Introduced by Sens. YOUNG, DeFRANCISCO, ZELDIN -- read twice and ordered printed, and when printed to be committed to the Committee on Consumer Protection -- recommitted to the Committee on Consumer Protection in accordance with Senate Rule 6, sec. 8 -- reported favorably from said committee and committed to the Committee on Finance -- reported favorably from said committee, ordered to first and second report, ordered to a third reading, amended and ordered reprinted, retaining its place in the order of third reading

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:

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

ARTICLE 35-F

FIRE SPRINKLER INFORMATION

SECTION 759. DEFINITIONS.

759-A. DISCLOSURE OF AUTOMATIC FIRE SPRINKLER SYSTEM INFORMATION.

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

1. "BUILDER" MEANS ANY PERSON, CORPORATION, PARTNERSHIP OR OTHER ENTITY CONTRACTING WITH AN OWNER FOR THE CONSTRUCTION OF A ONE- OR TWO-FAMILY RESIDENTIAL DWELLING HAVING LESS THAN THREE STORIES.

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

S 759-A. DISCLOSURE OF AUTOMATIC FIRE SPRINKLER SYSTEM INFORMATION. A BUILDER OF A ONE- OR TWO-FAMILY RESIDENTIAL DWELLING HAVING LESS THAN

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

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THREE STORIES, PRIOR TO ENTERING INTO A CONTRACT FOR CONSTRUCTION OF SUCH DWELLING WITH A BUYER, SHALL PROVIDE THE BUYER WITH A COPY OF WRITTEN MATERIALS PREPARED BY THE OFFICE OF FIRE PREVENTION AND CONTROL PURSUANT TO SUBDIVISION TWENTY-ONE OF SECTION ONE HUNDRED FIFTY-SIX OF THE EXECUTIVE LAW, WHICH DETAILS THE BENEFITS OF AND INCLUDES FACTORS THAT CAN AFFECT THE COSTS ASSOCIATED WITH THE INSTALLATION AND MAINTENANCE OF AN AUTOMATIC FIRE SPRINKLER SYSTEM. UPON REQUEST OF THE BUYER, THE BUILDER SHALL, AT THE BUYER'S EXPENSE, INSTALL AN AUTOMATIC FIRE SPRINKLER SYSTEM IN SUCH ONE- OR TWO-FAMILY RESIDENTIAL DWELLING HAVING LESS THAN THREE STORIES.

S 2. Section 156 of the executive law is amended by adding a new subdivision 21 to read as follows:

21. PROVIDE WRITTEN MATERIALS TO CONSUMERS AND BUILDERS WHICH DETAIL THE BENEFITS OF AND INCLUDE THE FACTORS THAT CAN AFFECT COSTS ASSOCIATED WITH THE INSTALLATION AND MAINTENANCE OF AN AUTOMATIC FIRE SPRINKLER SYSTEM FOR A ONE- OR TWO-FAMILY RESIDENTIAL DWELLING.

S 3. This act shall take effect on the one hundred twentieth day after it shall have become a law; provided that, effective immediately, the office of fire prevention and control is authorized and directed to prepare the materials required by subdivision 21 of section 156 of the executive law, as added by section two of this act, on or before such effective date; and provided, further, that this act shall expire and be deemed repealed upon the effective date of provisions of the New York state uniform fire prevention and building code which are equivalent to the terms of section 313.2 (relating to automatic fire sprinkler systems in one- or two-family dwellings under three stories) of the International Residential Code (2009 edition) or any successor reversions thereof requiring fire sprinklers for one- or two-family dwellings under three stories; provided that the state fire administrator shall notify the legislative bill drafting commission upon the adoption of such provisions of the New York state uniform fire prevention and building code in order that the commission may maintain an accurate and timely effective data base of the official text of the laws of the state of New York in furtherance of effectuating the provisions of section 44 of the legislative law and section 70-b of the public officers law.