STATE OF NEW YORK

2571--C

2025-2026 Regular Sessions

IN ASSEMBLY

January 17, 2025

Introduced by M. of A. McDONALD, BURDICK, SANTABARBARA, JENSEN, BRABENEC, EACHUS, STIRPE, McMAHON, JACOBSON, REYES, SAYEGH, BERGER, SHIMSKY, STECK, K. BROWN, KASSAY, KAY -- Multi-Sponsored by -- M. of A. LEVENBERG -- read once and referred to the Committee on Higher Education -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- recommitted to the Committee on Higher Education in accordance with Assembly Rule 3, sec. 2 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- again reported from said committee with amendments, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the education law, in relation to the practice of professional geology

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Subdivision 6 of section 7209 of the education law, as amended by chapter 62 of the laws of 1989, is amended and a new subdivision 10 is added to read as follows:

6. It shall be lawful for a corporation organized and existing under the laws of the state of New York which on the fifteenth day of April, nineteen hundred thirty-five and continuously thereafter, was lawfully practicing engineering or land surveying in New York state, to continue such practice provided that the chief executive officer shall be a professional engineer licensed under this article, if practicing engineering, or a land surveyor licensed under this article, if practicing land surveying, and provided further that the person or persons carrying on the actual practice of engineering or surveying on behalf of, or designated as "engineer" or "surveyor", with or without qualifying or characterizing word, by such corporation shall be authorized to practice engineering or land surveying as provided in this article. **Such corporation shall also be authorized to practice geology provided that such**

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

LBD01545-11-6

corporation's corporate purposes include the practice of professional geology pursuant to subdivision ten of this section. It shall be lawful for a corporation which, on account of or as a result of requirements, restrictions or provisions of federal law, was organized subsequent to April fifteenth, nineteen hundred thirty-five for the purpose of taking over an existing engineering organization established prior to such time and which has taken over such organization and continued its engineering activities, provided that the chief executive officer of such corporation shall be a professional engineer licensed under this article and provided further, that the person or persons carrying on the actual practice of engineering on behalf of, or designated as "engineer", with or without qualifying or characterizing word, by such corporation, shall be authorized to practice engineering as provided in this article. No such corporation shall change its name or sell its franchise or transfer its corporate rights, directly or indirectly to any person, firm or corporation without the consent of the department. Each such corporation shall obtain a triennial registration on payment of a fee of fifty dollars.

10. Prior to December thirty-first, two thousand twenty-nine, the department and the department of state shall allow a business corporation as described in subdivision six of this section to amend its certificate of incorporation so that its corporate purposes include the practice of professional geology. The certificate of amendment shall have attached thereto a certificate or certificates issued by the licensing authority certifying that at least one director or officer of the business corporation is a professional geologist licensed under this article. Notwithstanding any provision of law to the contrary, such business corporation shall be required to comply with all applicable laws, rules, or regulations relating to the practice of professional geology under this title.

§ 2. Subdivisions 2 and 3 of section 7210 of the education law, as amended by chapter 483 of the laws of 2001, are amended to read as follows:

2. Upon application a certificate of authorization shall be issued by the department to all individuals, corporations, limited liability companies, limited liability partnerships, partnerships and joint enterprises specified in subdivision one of this section and which are authorized to provide professional engineering [~~or~~], land surveying or professional geology services and pay the appropriate fee.

3. A "certificate of authorization" shall authorize such individual, corporation, limited liability company, limited liability partnership, partnership or joint enterprise to provide professional engineering [~~or~~], land surveying or professional geology services for three years from the date of issuance subject to, as otherwise prescribed by law, the supervision of the regents of the university of the state of New York including the power to discipline and impose penalties in the same manner and to the same extent as is provided with respect to individuals and their licenses and registration pursuant to this title.

§ 3. This act shall take effect on the one hundred eightieth day after it shall have become a law.