

STATE OF NEW YORK

3126--B

Cal. No. 104

2025-2026 Regular Sessions

IN ASSEMBLY

January 23, 2025

Introduced by M. of A. LUNSFORD, McDONALD, P. CARROLL, GLICK, GRIFFIN -- read once and referred to the Committee on Governmental Operations -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- ordered to a third reading, amended and ordered reprinted, retaining its place on the order of third reading

AN ACT to amend the executive law, in relation to requiring that when a complaint is made to local code enforcement of a violation of the uniform fire prevention and building code or local building codes which results in the issuance of a compliance order, the complainant shall also be provided a copy of such order

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

1 Section 1. Paragraphs h and i of subdivision 1 of section 381 of the
2 executive law, as added by chapter 560 of the laws of 2010, are amended
3 and a new paragraph j is added to read as follows:

4 h. minimum basic training and in-service training requirements for
5 personnel charged with administration and enforcement of the state ener-
6 gy conservation construction code; [~~and~~]

7 i. standards and procedures for measuring the rate of compliance with
8 the state energy conservation construction code, and provisions requir-
9 ing that such rate of compliance be measured on an annual basis[~~-~~];

10 j. in the event a complaint is made to a local government or the
11 secretary which results in the issuance of an order in accordance with
12 any regulations promulgated by the powers granted by section three
13 hundred seventy-seven of this article or section three hundred seventy-
14 nine of this article to remedy any condition found to exist in, on, or
15 about any building in violation of any regulations promulgated by the
16 powers granted by section three hundred seventy-seven of this article or
17 section three hundred seventy-nine of this article, providing of such

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

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1 order in person or by registered or certified mail to the complainant
2 who initially reported such violation.

3 § 2. Paragraphs i and j of subdivision 1 of section 381 of the execu-
4 tive law, paragraph i as amended and paragraph j as added by section 3
5 of part T of chapter 57 of the laws of 2023, are amended and a new para-
6 graph k is added to read as follows:

7 i. standards and procedures for measuring the rate of compliance with
8 the state energy conservation construction code, and provisions requir-
9 ing that such rate of compliance be measured on an annual basis; ~~and~~

10 j. procedures requiring the documentation of compliance with regu-
11 lations adopted pursuant to section thirteen hundred seventy-seven of
12 the public health law as a condition to issuance of a certificate of
13 occupancy or certificate of compliance following a periodic fire safety
14 and property maintenance inspection for multiple dwellings[~~];~~

15 k. in the event a complaint is made to a local government or the
16 secretary which results in the issuance of an order in accordance with
17 any regulations promulgated by the powers granted by section three
18 hundred seventy-seven of this article or section three hundred seventy-
19 nine of this article to remedy any condition found to exist in, on, or
20 about any building in violation of any regulations promulgated by the
21 powers granted by section three hundred seventy-seven of this article or
22 section three hundred seventy-nine of this article, providing of such
23 order in person or by registered or certified mail to the complainant
24 who initially reported such violation.

25 § 3. Subdivision 1 of section 382 of the executive law, as added by
26 chapter 707 of the laws of 1981, is amended to read as follows:

27 1. In addition to and not in limitation of any power otherwise granted
28 by law, every local government and its authorized agents shall have the
29 power to order in writing the remedying of any condition found to exist
30 in, on or about any building in violation of the uniform fire prevention
31 and building code and to issue appearance tickets for violations of the
32 uniform code. A copy of an order served pursuant to this subdivision or
33 any regulations promulgated by the powers granted by section three
34 hundred seventy-seven of this article or section three hundred seventy-
35 nine of this article shall also be provided to a complainant in accord-
36 ance with the rules and regulations established under the powers granted
37 by section three hundred seventy-seven of this article or section three
38 hundred seventy-nine of this article, pursuant to paragraph k of subdi-
39 vision one of section three hundred eighty-one of this article, if such
40 order was issued as a result of a complaint made by an individual.

41 § 4. This act shall take effect on the one hundred eightieth day after
42 it shall have become a law; provided, however, that if section 3 of part
43 T of chapter 57 of the laws of 2023 shall not have taken effect on or
44 before such date then section two of this act shall take effect on the
45 same date and in the same manner as such section, takes effect.