

# STATE OF NEW YORK

483

2025-2026 Regular Sessions

## IN ASSEMBLY

(Prefiled)

January 8, 2025

Introduced by M. of A. CLARK, SEAWRIGHT, STIRPE, REYES, GALLAHAN, EPSTEIN, LEVENBERG -- read once and referred to the Committee on Higher Education

AN ACT to amend the education law, in relation to permitting certain not-for-profit corporations engaged in engineering for certain conservation efforts to do business or provide professional engineering, land surveying, or professional geology services in the state

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

1 Section 1. Section 7209 of the education law is amended by adding a  
2 new subdivision 10 to read as follows:

3 10. Nothing in this article shall prohibit a foreign not-for-profit  
4 corporation, as defined in section one hundred two of the not-for-profit  
5 corporation law, engaged in engineering for conservation efforts associ-  
6 ated with (a) tidal wetland, as defined in subdivision one of section  
7 25-0103 of the environmental conservation law, restoration, (b) freshwa-  
8 ter wetland, as defined in subdivision one of section 24-0107 of the  
9 environmental conservation law, restoration, (c) habitat restoration,  
10 (d) groundwater recharge, or (e) natural infrastructure from obtaining a  
11 certificate of authority to do business in the state of New York,  
12 provided that the business proposed to be done by such not-for-profit  
13 corporation within this state relates to the stated conservation  
14 resources and shall be conducted by a professional engineer pursuant to  
15 this article.

16 § 2. Subdivisions 1, 2, and 3 of section 7210 of the education law,  
17 subdivision 1 as amended by chapter 475 of the laws of 2014 and subdivi-  
18 sions 2 and 3 as amended by chapter 483 of the laws of 2001, are amended  
19 to read as follows:

20 1. Domestic or foreign professional service corporations, design  
21 professional service corporations, professional service limited liabil-

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

LBD02534-01-5

1 ity companies, foreign professional service limited liability companies,  
2 registered limited liability partnerships, New York registered foreign  
3 limited liability partnerships, foreign not-for-profit corporations, as  
4 defined in section one hundred two of the not-for-profit corporation  
5 law, engaged in engineering for conservation efforts associated with (a)  
6 tidal wetland, as defined in subdivision one of section 25-0103 of the  
7 environmental conservation law, restoration, (b) freshwater wetland, as  
8 defined in subdivision one of section 24-0107 of the environmental  
9 conservation law, restoration, (c) habitat restoration, (d) groundwater  
10 recharge, or (e) natural infrastructure, partnerships and joint enter-  
11 prises specified in subdivision four of section seventy-two hundred nine  
12 of this article, provided each of the foregoing entities is authorized  
13 to provide professional engineering, land surveying or professional  
14 geology services and general business corporations authorized to provide  
15 professional engineering or land surveying services pursuant to subdivi-  
16 sion six of section seventy-two hundred nine of this article may offer  
17 to provide or provide professional engineering, land surveying or  
18 professional geology services only after obtaining a certificate of  
19 authorization from the department. Except as otherwise authorized by  
20 statute, rule or regulation, other business entities are not authorized  
21 to offer or provide professional engineering, land surveying or profes-  
22 sional geology services and may not obtain certificates of authorization  
23 provided that nothing contained herein shall prohibit an individual who  
24 is licensed to practice professional engineering, land surveying or  
25 professional geology under this article from obtaining a certificate of  
26 authorization upon application and payment of the appropriate fees  
27 provided for under this section.

28 2. Upon application a certificate of authorization shall be issued by  
29 the department to all individuals, corporations, not-for-profit corpo-  
30 rations, limited liability companies, limited liability partnerships,  
31 partnerships and joint enterprises specified in subdivision one of this  
32 section and which are authorized to provide professional engineering or  
33 land surveying services and pay the appropriate fee.

34 3. A "certificate of authorization" shall authorize such individual,  
35 corporation, not-for-profit corporation, limited liability company,  
36 limited liability partnership, partnership or joint enterprise to  
37 provide professional engineering or land surveying services for three  
38 years from the date of issuance subject to, as otherwise prescribed by  
39 law, the supervision of the regents of the university of the state of  
40 New York including the power to discipline and impose penalties in the  
41 same manner and to the same extent as is provided with respect to indi-  
42 viduals and their licenses and registration pursuant to this title.

43 § 3. This act shall take effect immediately.