# STATE OF NEW YORK

2091--A

Cal. No. 573

2025-2026 Regular Sessions

# IN SENATE

January 15, 2025

Introduced by Sens. KAVANAGH, MAY, WEBB -- read twice and ordered printed, and when printed to be committed to the Committee on Housing, Construction and Community Development -- recommitted to the Committee on Housing, Construction and Community Development in accordance with Senate Rule 6, sec. 8 -- reported favorably from said committee, ordered to first and second report, ordered to a third reading, passed by Senate and delivered to the Assembly, recalled, vote reconsidered, restored to third reading, amended and ordered reprinted, retaining its place in the order of third reading

AN ACT to amend the executive law, in relation to establishing standards for the reuse of deconstructed building materials

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

Section 1. Paragraph c of subdivision 2 of section 377 of the executive law, as added by chapter 707 of the laws of 1981, is amended to read as follows:

c. permit to the fullest extent feasible, use of modern technical methods, devices and improvements which tend to reduce the cost of construction**, including the reuse of deconstructed building materials,** without substantially affecting reasonable requirements for the health, safety and security of the occupants or users of buildings;

§ 2. Section 378 of the executive law is amended by adding a new subdivision 19-a to read as follows:

**19-a. a. To support the goal of zero on-site greenhouse gas emissions and help achieve the state's clear energy and climate agenda, including but not limited to greenhouse gas reduction requirements set forth within chapter one hundred six of the laws of two thousand nineteen, also known as the New York state climate leadership and community protection act, the uniform code shall set standards for the use of salvage lumber that has been previously used in buildings or other structures in construction and for the grading of salvage lumber.**

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

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b. The uniform code shall provide that salvage lumber shall be permitted to use not greater than ninety percent of the design values assigned to the species and grade of sawn lumber in the American Wood Council National Design Specification, provided an approved entity, including, but not limited to, a grading or inspection agency or registered design professional, provides verification of compliance with all of the following conditions:

(i) the salvage lumber is identified by a grade mark conforming with International Residential Code R602.1.1 for sawn lumber, or is accompanied by a certificate of inspection issued by a lumber grading or inspection agency conforming with International Residential Code R602.1.1 for sawn lumber detailing the species and grade;

(ii) the salvage lumber is free of net section reductions exceeding the limitations permitted for the assigned grade;

(iii) the salvage lumber is free of areas of decay, fire damage or insect damage exceeding the limitations permitted for the assigned grade;

(iv) the salvage lumber shows no signs of failure or strength reducing characteristics exceeding the limitations permitted for the assigned grade as a result of structural loading, deconstruction, or other causes;

(v) the salvage lumber has not been subjected to temperatures continuously above one hundred degrees Fahrenheit (thirty-eight degrees Celsius), both day and night, for a period exceeding six months; and

(vi) the word "Salvage" and the name of the approved entity confirming compliance with subparagraphs (i) through (v) of this paragraph shall be legibly and permanently applied in indelible ink.

§ 3. Section 376 of the executive law is amended by adding a new subdivision 7 to read as follows:

7. To develop a program for grading salvage lumber for structural purposes. The program shall be developed in consultation with industry stakeholders and shall include standards for determining the structural integrity of salvage lumber. The program shall be updated as necessary to reflect advances in technology and best practices.

§ 4. This act shall take effect immediately.