STATE OF NEW YORK

3819--B

Cal. No. 328

2025-2026 Regular Sessions

IN SENATE

January 30, 2025

Introduced by Sens. RIVERA, FERNANDEZ, HARCKHAM, JACKSON, SEPULVEDA -- read twice and ordered printed, and when printed to be committed to the Committee on Housing, Construction and Community Development -- 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 -- 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 imposing certain penalties related to violations of building and fire code standards within fourteen days and increasing certain fines for violations of housing standards

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

Section 1. Subdivision 2 of section 382 of the executive law, as amended by chapter 571 of the laws of 2021, is amended and a new subdivision 5 is added to read as follows:

2. **a.** Any person, having been served, either personally or by registered or certified mail, with an order to remedy any condition found to exist in, on, or about any building in violation of the uniform fire prevention and building code, who shall fail to comply with such order within the time fixed by the regulations promulgated by the secretary pursuant to subdivision one of section three hundred eighty-one of this article, such time period to be stated in the order, and any owner, builder, architect, tenant, contractor, subcontractor, construction superintendent or their agents or any other person taking part or assisting in the construction of any building who shall knowingly

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

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violate any of the applicable provisions of the uniform code or any lawful order of a local government, a county or the secretary made thereunder regarding standards for construction, maintenance, or fire protection equipment and systems, shall be punishable by a fine of not [~~more than one thousand dollars per day of violation, or imprisonment not exceeding one year, or both for the first one hundred eighty days, and for the following one hundred eighty days shall be punishable by a fine of no less than twenty-five dollars and not more than one thousand dollars per day of violation or imprisonment not exceeding one year, or both and thereafter shall be punishable by a fine of no less than fifty dollars and not more than one thousand dollars per day of violation or imprisonment not exceeding one year, or both~~] less than twenty-five dollars nor more than one hundred fifty dollars for each non-hazardous violation in a multiple dwelling containing ten or fewer dwelling units.

b. For each hazardous violation occurring in a multiple dwelling containing ten or fewer dwelling units, a penalty of not less than fifty dollars nor more than five hundred dollars per day shall be imposed from the date set for correction in the notice of violation until the violation is corrected.

c. For each immediately hazardous violation occurring in a multiple dwelling containing ten or fewer dwelling units, a penalty of not less than two hundred fifty dollars per day shall be imposed from the date set for correction in the notice of violation until the violation is corrected.

d. For each non-hazardous violation occurring in a multiple dwelling containing more than ten dwelling units, a penalty of not less than one hundred dollars nor more than one thousand five hundred dollars shall be imposed from the date set for correction in the notice of violation until the violation is corrected.

e. For each hazardous violation occurring in a multiple dwelling containing more than ten dwelling units, a penalty not less than one hundred fifty dollars nor more than two thousand dollars per day shall be imposed from the date set for correction in the notice of violation until the violation is corrected.

f. For each immediately hazardous violation occurring in a multiple dwelling containing more than ten dwelling units, a penalty of not less than five hundred dollars per day for each violation, from the date set for correction in the notice of violation until the violation is corrected, or imprisonment not exceeding one year, or both.

g. A person making a false certification of correction of a violation shall be subject to a civil penalty in the following amounts, in addition to the other penalties herein provided: not less than five hundred dollars nor more than two thousand five hundred dollars for each immediately hazardous violation falsely certified, not less than two hundred fifty dollars nor more than five hundred dollars for each hazardous violation falsely certified, and not less than fifty dollars nor more than two hundred fifty dollars for each non-hazardous violation falsely certified.

5. Any daily penalty levied pursuant to subdivision two of this section on a person who is in violation of the uniform fire prevention and building code and who has failed to comply with an order to remedy such violation within the time fixed by the regulations promulgated by the secretary pursuant to subdivision one of section three hundred eighty-one of this article shall be assessed no later than the fourteenth day of such violation.

§ 2. This act shall take effect immediately.