S T A T E O F N E W Y O R K

4428

2009-2010 Regular Sessions

I N A S S E M B L Y

February 4, 2009

Introduced by M. of A. CANESTRARI -- read once and referred to the Committee on Higher Education

AN ACT to amend the education law, in relation to the practice of the professions of engineering and land surveying

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 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, OR A CORPORATION WHICH WAS ORGANIZED AND EXISTING UNDER THE LAWS OF THE STATE OF NEW YORK BEFORE JANUARY FIRST, NINETEEN HUNDRED THIRTY AND WAS LAWFULLY PRACTICING ENGINEERING OR LAND SURVEYING PRIOR TO JANUARY FIRST, NINETEEN HUNDRED THIRTY IRRESPECTIVE OF WHETHER THE PRACTICE HAS BEEN CONTINUOUS, to [continue] ENGAGE IN 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. 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,

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

LBD02705-01-9

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.

S 2. This act shall take effect immediately.