

5713

2009-2010 Regular Sessions

I N S E N A T E

May 29, 2009

Introduced by Sen. OPPENHEIMER -- read twice and ordered printed, and
when printed to be committed to the Committee on Local Government

AN ACT to amend the county law, in relation to providing for the licensure of electrical inspectors within the county of Westchester

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 Section 1. The county law is amended by adding a new section 236-b to
2 read as follows:
3 S 236-B. COUNTY ELECTRICAL INSPECTOR LICENSING. 1. NOTWITHSTANDING
4 ANY INCONSISTENT GENERAL, SPECIAL, OR LOCAL LAW TO THE CONTRARY, THE
5 COUNTY OF WESTCHESTER IS HEREBY AUTHORIZED TO ESTABLISH A WESTCHESTER
6 COUNTY BOARD OF EXAMINERS FOR ELECTRICAL INSPECTORS AND TO EMPOWER SUCH
7 BOARD TO ASSUME ALL LICENSING DUTIES WITHIN THE COUNTY OF WESTCHESTER
8 WITH RESPECT TO THE LICENSURE OF ELECTRICAL INSPECTORS. THE COUNTY OF
9 WESTCHESTER SHALL PROVIDE FOR ELECTRICAL INSPECTORS' DUTIES AND RESPONSIBILITIES
10 WITH RESPECT TO APPLICATIONS FOR A LICENSE OR RENEWAL IN
11 ACCORDANCE WITH THE LOCAL LAW OF SUCH COUNTY. A LOCAL LAW ENACTED PURSUANT
12 TO THIS SECTION ESTABLISHING COUNTY LICENSURE OF ELECTRICAL INSPECTORS
13 SHALL PROVIDE STANDARDS FOR LICENSURE WHICH SHALL INCLUDE, AT A
14 MINIMUM, A PROVISION THAT NO PERSON SHALL OBTAIN A LICENSE UNLESS SUCH
15 PERSON SHALL HAVE RECEIVED TRAINING IN THE INSPECTION OF ELECTRICAL
16 COMPONENTS, EQUIPMENT AND SYSTEMS USED IN BUILDINGS AND STRUCTURES WHICH
17 IS AT LEAST EQUIVALENT TO THE TRAINING IN THE INSPECTION OF ELECTRICAL
18 COMPONENTS, EQUIPMENT AND SYSTEMS USED IN BUILDINGS AND STRUCTURES
19 REQUIRED FOR CODE ENFORCEMENT PERSONNEL UNDER THE RULES AND REGULATIONS
20 PROMULGATED BY THE GOVERNOR PURSUANT TO ARTICLE SIX-C OF THE EXECUTIVE
21 LAW.
22 2. A LOCAL LAW ENACTED PURSUANT TO THIS SECTION ESTABLISHING COUNTY
23 LICENSURE OF ELECTRICAL INSPECTORS SHALL SUPERSEDE ANY PROVISION REQUIRING
24 ELECTRICAL INSPECTORS TO ALSO OBTAIN A LOCAL LICENSE PROMULGATED BY
25 A CITY, TOWN OR VILLAGE IN THE COUNTY PURSUANT TO ANY GENERAL, SPECIAL

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

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1 OR LOCAL LAW. NOTHING IN THIS SECTION SHALL BE DEEMED TO SUPERSEDE ANY
2 OF THE POWERS, FUNCTIONS AND DUTIES OF THE FIRE FIGHTING AND CODE
3 ENFORCEMENT PERSONNEL STANDARDS AND EDUCATION COMMISSION, AS SET FORTH
4 IN ARTICLE SIX-C OF THE EXECUTIVE LAW.

5 3. IN THIS SECTION, THE TERM "ELECTRICAL INSPECTOR" SHALL MEAN ANY
6 PERSON WHO NOW OR HEREAFTER INSPECTS ELECTRICAL COMPONENTS, EQUIPMENT
7 AND SYSTEMS USED IN BUILDINGS AND STRUCTURES TO DETERMINE THE COMPLIANCE
8 OF SUCH ELECTRICAL COMPONENTS, EQUIPMENT AND SYSTEMS AND THE INSTALLA-
9 TION OF SUCH ELECTRICAL COMPONENTS, EQUIPMENT AND SYSTEMS WITH THE
10 APPLICABLE PROVISIONS OF THE STATE UNIFORM FIRE PREVENTION AND BUILDING
11 CODE PROMULGATED PURSUANT TO ARTICLE EIGHTEEN OF THE EXECUTIVE LAW;
12 PROVIDED, HOWEVER, THAT THE TERM ELECTRICAL INSPECTOR SHALL NOT INCLUDE
13 ANY PERSON WHO PERFORMS SUCH INSPECTIONS AS AN EMPLOYEE OF THE STATE OF
14 NEW YORK, ANY AGENCY OF THE STATE OF NEW YORK, OR ANY COUNTY, CITY, TOWN
15 OR VILLAGE. IN NO EVENT SHALL ANY PERSON WHO NOW OR HEREAFTER PERFORMS
16 SUCH INSPECTIONS AS AN EMPLOYEE OF THE STATE OF NEW YORK, ANY AGENCY OF
17 THE STATE OF NEW YORK, OR ANY COUNTY, CITY, TOWN OR VILLAGE BE REQUIRED
18 TO OBTAIN A LICENSE ISSUED PURSUANT TO THIS SECTION OR PURSUANT TO ANY
19 LOCAL LAW ENACTED PURSUANT TO THIS SECTION.

20 4. IN THIS SECTION, THE TERM "AGENCY OF THE STATE OF NEW YORK" SHALL
21 INCLUDE ANY DEPARTMENT, BUREAU, COMMISSION, BOARD, PUBLIC AUTHORITY OR
22 OTHER AGENCY OF THE STATE OF NEW YORK; ANY PUBLIC BENEFIT CORPORATION
23 WHOSE BOARD OF DIRECTORS INCLUDES ANY MEMBER APPOINTED BY THE GOVERNOR;
24 ANY SUBDIVISION OF ANY DEPARTMENT, BUREAU, COMMISSION, BOARD, PUBLIC
25 AUTHORITY OR OTHER AGENCY OF THE STATE WHICH IS EASILY IDENTIFIABLE AND
26 WHICH FOR MOST OTHER PURPOSES IS TREATED AS AN INDEPENDENT STATE AGENCY;
27 AND THE OFFICE FOR TECHNOLOGY.

28 S 2. This act shall take effect immediately.