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

S. 5 A. 5

Third Extraordinary Session

S E N A T E - A S S E M B L Y

November 29, 2010

IN SENATE -- Introduced by COMMITTEE ON RULES -- (at request of the Governor) -- read twice and ordered printed, and when printed to be committed to the Committee on Rules

IN ASSEMBLY -- Introduced by COMMITTEE ON RULES -- (at request of the Governor) -- read once and referred to the Committee on Ways and Means

AN ACT to amend the multiple dwelling law, in relation to clarifying certain provisions relating to occupancy of class A multiple dwellings and to amend chapter 225 of the laws of 2010 amending the multiple dwelling law and the administrative code of the city of New York relating to clarifying certain provisions relating to occupancy of class A multiple dwellings, in relation to the effectiveness thereof

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

Section 1. Paragraph c of subdivision 16 of section 67 of the multiple dwelling law, as added by chapter 225 of the laws of 2010, is amended to read as follows:

c. Upon application prior to the expiration of the time for obtaining a certificate of occupancy, as extended by the department pursuant to paragraph b of this subdivision, the board of standards and appeals may grant A further [extensions] EXTENSION of time to obtain a certificate of occupancy in a case where there are circumstances beyond the applicant's control or hardship in the way of obtaining such certificate within the time allowed by the department but no more than [two] ONE such [extensions] EXTENSION of [one year each] FIFTEEN MONTHS shall be granted for a building and no such extension shall be granted unless the board finds that there are no outstanding building or fire code violations of record at the property.

S 2. Subdivision 3 of section 120 of the multiple dwelling law, as added by chapter 225 of the laws of 2010, is amended to read as follows:

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

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3. Upon application prior to the expiration of the time for obtaining a certificate of occupancy, as extended by the department pursuant to subdivision two of this section, the board of standards and appeals may grant A further [extensions] EXTENSION of time to obtain a certificate of occupancy in a case where there are circumstances beyond the applicant's control or hardship in the way of obtaining such certificate within the time allowed by the department but no more than [two] ONE such [extensions] EXTENSION of [one year each] FIFTEEN MONTHS shall be granted for a building and no such extension shall be granted unless the board finds that there are no outstanding building or fire code violations of record at the property.

S 3. Section 8 of chapter 225 of the laws of 2010 amending the multiple dwelling law and the administrative code of the city of New York relating to clarifying certain provisions relating to occupancy of class A multiple dwellings, is amended to read as follows:

S 8. This act shall take effect [immediately] MAY 1, 2011 and shall apply to all buildings in existence on such effective date and to buildings constructed after such effective date EXCEPT THAT PRIOR TO SUCH EFFECTIVE DATE AN AGENCY WITH THE DUTY TO ENFORCE THE PROVISIONS OF THE MULTIPLE DWELLING LAW MAY PROMULGATE RULES AND REGULATIONS OR TAKE OTHER ADMINISTRATIVE ACTIONS TO PROVIDE FOR THE REGISTRATION OF DWELLING UNITS IN ACCORDANCE WITH THE PROVISIONS OF SUBDIVISION 16 OF SECTION 67 AND TITLE 3 OF ARTICLE 4 OF THE MULTIPLE DWELLING LAW, AS ADDED BY SECTIONS TWO AND THREE OF THIS ACT, RESPECTIVELY.

S 4. This act shall take effect immediately, provided that sections one and two of this act shall take effect on the same date and in the same manner as chapter 225 of the laws of 2010, takes effect.