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

4951

2009-2010 Regular Sessions

I N A S S E M B L Y

February 10, 2009

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

AN ACT to amend the education law and the not-for-profit corporation law, in relation to authorizing incorporation of engineers, architects and certain others as not-for-profit corporations

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

Section 1. Subdivision 2 of section 7307 of the education law, as added by chapter 987 of the laws of 1971, is amended to read as follows:

2. Engineers, land surveyors, architects and landscape architects may join in the formation of a joint enterprise, or a partnership or a professional service corporation OR A NOT-FOR-PROFIT CORPORATION or may form any desired combination of such professions and may use in the name of such corporation the title of any of the professions which will be practiced. After the name of each member his profession shall be indicated.

S 2. The not-for-profit corporation law is amended by adding a new section 1413 to read as follows:

S 1413. ARCHITECTURAL SERVICES CORPORATION.

(A) PURPOSES. THIS SECTION SHALL PROVIDE FOR THE INCORPORATION OF NOT-FOR-PROFIT CORPORATIONS OF ENGINEERS, ARCHITECTS, LAND SURVEYORS, AND LANDSCAPE ARCHITECTS, OPERATED FOR THE EXCLUSIVELY CHARITABLE OR PUBLIC PURPOSE OF PROVIDING ENGINEERING AND ARCHITECTURAL SERVICES TO LOW AND MODERATE INCOME INDIVIDUALS AND COMMUNITY ORGANIZATIONS ENGAGING IN ACTIVITIES TO AID, SUPPORT AND ASSIST EFFORTS TO CREATE AND MAINTAIN DECENT, AFFORDABLE HOUSING FOR LOW AND MODERATE INCOME PERSONS.

(B) TYPE OF CORPORATION. AN ARCHITECTURAL SERVICES CORPORATION IS A B TYPE OF CORPORATION UNDER THIS CHAPTER.

(C) POWERS. IN FURTHERANCE OF ITS PURPOSES SET FORTH IN PARAGRAPH (A) OF THIS SECTION, AN ARCHITECTURAL SERVICES CORPORATION SHALL HAVE ALL OF THE POWERS OF A NOT-FOR-PROFIT CORPORATION PROVIDED BY LAW.

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

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(D) FINAL PLANS AND REPORTS. EACH FINAL PLAN AND REPORT REQUIRED BY LAW TO BE MADE OR ISSUED BY A LICENSED ENGINEER, LAND SURVEYOR, ARCHITECT AND LANDSCAPE ARCHITECT WHICH IS MADE OR ISSUED BY AN ARCHITECTURAL SERVICES CORPORATION SHALL BEAR THE NAME AND SEAL OF ONE OR MORE PROFESSIONAL ENGINEERS, LAND SURVEYORS, ARCHITECTS OR LANDSCAPE ARCHITECTS, RESPECTIVELY, WHO IS IN RESPONSIBLE CHARGE OF SUCH PLAN OR PROJECT.

S 3. This act shall take effect immediately.