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

5481

2009-2010 Regular Sessions

I N A S S E M B L Y

February 13, 2009

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

AN ACT to amend the labor law, in relation to excluding certain projects from the prevailing wage requirement

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

Section 1. Subdivision 3 of section 220 of the labor law is amended by adding a new paragraph (f) to read as follows:

(F) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, A PUBLIC WORK SHALL NOT INCLUDE ANY PROJECT WHICH INCLUDES THE CONSTRUCTION, DEMOLITION, RECONSTRUCTION, EXCAVATION, REHABILITATION, REPAIR, RENOVATION OR ALTERATION OF REAL PROPERTY FOR PRIVATELY OWNED RESIDENTIAL PURPOSES PROVIDED THAT AT LEAST TWENTY PERCENT OF THE RESIDENTIAL UNITS ARE SUBJECT TO AN AGREEMENT WITH A MUNICIPALITY, THE STATE, THE FEDERAL GOVERNMENT OR ANY INSTRUMENTALITY THEREOF, WHICH AGREEMENT RESTRICTS OCCUPANCY OF THOSE UNITS TO TENANTS OR PURCHASERS WHO QUALIFY IN ACCORDANCE WITH AN INCOME TEST. FOR THE PURPOSES OF THIS PARAGRAPH, "RESIDENTIAL PURPOSES" SHALL INCLUDE ROADS, SEWERS AND OTHER INFRASTRUCTURE ANCILLARY TO THE DEVELOPMENT OF THE RESIDENTIAL UNITS.

S 2. This act shall take effect immediately.

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

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