

S. 5487

A. 8257

2009-2010 Regular Sessions

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

May 11, 2009

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IN SENATE -- Introduced by Sens. AUBERTINE, STACHOWSKI, VALESKY, WINNER, YOUNG -- (at request of the Legislative Commission on Rural Resources) -- read twice and ordered printed, and when printed to be committed to the Committee on Higher Education

IN ASSEMBLY -- Introduced by M. of A. KOON, LIFTON, BACALLES, BURLING -- read once and referred to the Committee on Higher Education

AN ACT to amend the education law, in relation to increasing the threshold at which certain buildings, structures and public works are required to be planned and supervised by a professional engineer, land surveyor or architect

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

1     Section 1. Subdivision 3 and paragraph b of subdivision 7 of section  
2     7209 of the education law, as added by chapter 987 of the laws of 1971,  
3     are amended to read as follows:  
4     3. No county, city, town or village or other political subdivision of  
5     this state shall engage in the construction or maintenance of any public  
6     work involving engineering or land surveying for which plans, specifica-  
7     tions and estimates have not been made by, and the construction and  
8     maintenance supervised by, a professional engineer or land surveyor;  
9     provided that this section shall not apply to the construction, improve-  
10    ment or maintenance of county roads or town highways, nor to any other  
11    public works wherein the contemplated expenditure for the completed  
12    project does not exceed [five] FIFTY thousand dollars. This section  
13    shall not be construed as affecting or preventing any county, city, town  
14    or village or other political subdivision of this state from engaging an  
15    architect licensed in this state for the preparation of plans, specifi-  
16    cations and estimates for and the supervision of construction or mainte-  
17    nance of public works.

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

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1 b. To alterations to any building or structure costing [ten] FIFTY  
2 thousand dollars or less which do not involve changes affecting the  
3 structural safety or public safety thereof nor to farm buildings,  
4 including barns, sheds, poultry houses and other buildings used directly  
5 and solely for agricultural purposes; nor to residence buildings of  
6 gross floor area of fifteen hundred square feet or less, not including  
7 garages, carports, porches, cellars, or uninhabitable basements or  
8 attics.

9 S 2. Subdivision 5 of section 7307 of the education law, as added by  
10 chapter 987 of the laws of 1971, paragraph 1 as amended by chapter 994  
11 of the laws of 1971 and paragraph 2 as amended by chapter 591 of the  
12 laws of 1986, is amended to read as follows:

13 5. This article shall not apply to: [1.] A. Farm buildings, including  
14 barns, sheds, poultry houses and other buildings used directly and sole-  
15 ly for agricultural purposes; nor to residence buildings of gross area  
16 of fifteen hundred square feet or less, not including garages, carports,  
17 porches, cellars, or uninhabitable basements or attics; or

18 [2.] B. Alterations, costing ten thousand dollars or less, to any  
19 building or structure within the city of New York and [twenty] FIFTY  
20 thousand dollars or less, to any building or structure outside the city  
21 of New York which do not involve changes affecting the structural safety  
22 or public safety thereof.

23 S 3. This act shall take effect immediately.