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

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:

Section 1. The county law is amended by adding a new section 236-b to read as follows:

S 236-B. COUNTY ELECTRICAL INSPECTOR LICENSING. 1. NOTWITHSTANDING ANY INCONSISTENT GENERAL, SPECIAL, OR LOCAL LAW TO THE CONTRARY, THE COUNTY OF WESTCHESTER IS HEREBY AUTHORIZED TO ESTABLISH A WESTCHESTER COUNTY BOARD OF EXAMINERS FOR ELECTRICAL INSPECTORS AND TO EMPOWER SUCH BOARD TO ASSUME ALL LICENSING DUTIES WITHIN THE COUNTY OF WESTCHESTER WITH RESPECT TO THE LICENSURE OF ELECTRICAL INSPECTORS. THE COUNTY OF WESTCHESTER SHALL PROVIDE FOR ELECTRICAL INSPECTORS' DUTIES AND RESPONSIBILITIES WITH RESPECT TO APPLICATIONS FOR A LICENSE OR RENEWAL IN ACCORDANCE WITH THE LOCAL LAW OF SUCH COUNTY. A LOCAL LAW ENACTED PURSUANT TO THIS SECTION ESTABLISHING COUNTY LICENSURE OF ELECTRICAL INSPECTORS SHALL PROVIDE STANDARDS FOR LICENSURE WHICH SHALL INCLUDE, AT A MINIMUM, A PROVISION THAT NO PERSON SHALL OBTAIN A LICENSE UNLESS SUCH PERSON SHALL HAVE RECEIVED TRAINING IN THE INSPECTION OF ELECTRICAL COMPONENTS, EQUIPMENT AND SYSTEMS USED IN BUILDINGS AND STRUCTURES WHICH IS AT LEAST EQUIVALENT TO THE TRAINING IN THE INSPECTION OF ELECTRICAL COMPONENTS, EQUIPMENT AND SYSTEMS USED IN BUILDINGS AND STRUCTURES REQUIRED FOR CODE ENFORCEMENT PERSONNEL UNDER THE RULES AND REGULATIONS PROMULGATED BY THE GOVERNOR PURSUANT TO ARTICLE SIX-C OF THE EXECUTIVE LAW.

2. A LOCAL LAW ENACTED PURSUANT TO THIS SECTION ESTABLISHING COUNTY LICENSURE OF ELECTRICAL INSPECTORS SHALL SUPERSEDE ANY PROVISION REQUIRING ELECTRICAL INSPECTORS TO ALSO OBTAIN A LOCAL LICENSE PROMULGATED BY 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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OR LOCAL LAW. NOTHING IN THIS SECTION SHALL BE DEEMED TO SUPERSEDE ANY OF THE POWERS, FUNCTIONS AND DUTIES OF THE FIRE FIGHTING AND CODE ENFORCEMENT PERSONNEL STANDARDS AND EDUCATION COMMISSION, AS SET FORTH IN ARTICLE SIX-C OF THE EXECUTIVE LAW.

3. IN THIS SECTION, THE TERM "ELECTRICAL INSPECTOR" SHALL MEAN ANY PERSON WHO NOW OR HEREAFTER INSPECTS ELECTRICAL COMPONENTS, EQUIPMENT AND SYSTEMS USED IN BUILDINGS AND STRUCTURES TO DETERMINE THE COMPLIANCE OF SUCH ELECTRICAL COMPONENTS, EQUIPMENT AND SYSTEMS AND THE INSTALLATION OF SUCH ELECTRICAL COMPONENTS, EQUIPMENT AND SYSTEMS WITH THE APPLICABLE PROVISIONS OF THE STATE UNIFORM FIRE PREVENTION AND BUILDING CODE PROMULGATED PURSUANT TO ARTICLE EIGHTEEN OF THE EXECUTIVE LAW; PROVIDED, HOWEVER, THAT THE TERM ELECTRICAL INSPECTOR SHALL NOT INCLUDE ANY PERSON WHO PERFORMS SUCH INSPECTIONS AS AN EMPLOYEE OF THE STATE OF NEW YORK, ANY AGENCY OF THE STATE OF NEW YORK, OR ANY COUNTY, CITY, TOWN OR VILLAGE. IN NO EVENT SHALL ANY PERSON WHO NOW OR HEREAFTER PERFORMS SUCH INSPECTIONS AS AN EMPLOYEE OF THE STATE OF NEW YORK, ANY AGENCY OF THE STATE OF NEW YORK, OR ANY COUNTY, CITY, TOWN OR VILLAGE BE REQUIRED TO OBTAIN A LICENSE ISSUED PURSUANT TO THIS SECTION OR PURSUANT TO ANY LOCAL LAW ENACTED PURSUANT TO THIS SECTION.

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

S 2. This act shall take effect immediately.