

5827

2011-2012 Regular Sessions

I N A S S E M B L Y

March 2, 2011

Introduced by M. of A. GUNTHER -- 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, specifications
7 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, improvement
10 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, specifications
16 and estimates for and the supervision of construction or maintenance
17 of public works.
18 b. To alterations to any building or structure costing [ten] FIFTY
19 thousand dollars or less which do not involve changes affecting the
20 structural safety or public safety thereof nor to farm buildings,
21 including barns, sheds, poultry houses and other buildings used directly
22 and solely for agricultural purposes; nor to residence buildings of
23 gross floor area of fifteen hundred square feet or less, not including

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

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1 garages, carports, porches, cellars, or uninhabitable basements or
2 attics.

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

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

12 [2.] B. Alterations, costing ten thousand dollars or less, to any
13 building or structure within the city of New York and [twenty] FIFTY
14 thousand dollars or less, to any building or structure outside the city
15 of New York which do not involve changes affecting the structural safety
16 or public safety thereof.

17 S 3. This act shall take effect immediately.