

4753--C

2013-2014 Regular Sessions

I N A S S E M B L Y

February 8, 2013

Introduced by M. of A. ENGLEBRIGHT, CAHILL, ROSENTHAL, COLTON, SCHIMEL, JAFFEE, LUPARDO, ABINANTI, THIELE, COOK, STECK, ROBERTS, MONTESANO, WALTER, SANTABARBARA, LUPINACCI -- Multi-Sponsored by -- M. of A. ARROYO, BRENNAN, CUSICK, DUPREY, FAHY, GUNTHER, JACOBS, McDONOUGH, SWEENEY, TITONE -- read once and referred to the Committee on Higher Education -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- again reported from said committee with amendments, ordered reprinted as amended and recommitted to said committee -- recommitted to the Committee on Higher Education in accordance with Assembly Rule 3, sec. 2 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the education law, the business corporation law, the limited liability company law and the partnership law, in relation to providing for the licensing of the profession of geology; and to repeal section 12 of chapter 550 of the laws of 2011, amending the business corporation law and the education law relating to design professional service corporations

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

1 Section 1. The article heading of article 145 of the education law,
2 as added by chapter 987 of the laws of 1971, is amended to read as
3 follows:
4 ENGINEERING [AND], LAND SURVEYING
5 AND GEOLOGY
6 S 2. Section 7200 of the education law, as added by chapter 987 of the
7 laws of 1971, is amended to read as follows:
8 S 7200. Introduction. This article applies to the professions of
9 engineering [and], land surveying AND GEOLOGY. The general provisions
10 for all professions contained in article one hundred thirty of this
11 title apply to this article.

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

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1 S 3. The education law is amended by adding three new sections 7204-a,
2 7204-b and 7206-b to read as follows:

3 S 7204-A. DEFINITION OF THE PROFESSION OF GEOLOGY. THE PRACTICE OF THE
4 PROFESSION OF GEOLOGY IS DEFINED AS PERFORMING PROFESSIONAL SERVICE SUCH
5 AS RESEARCHING, INVESTIGATING, CONSULTING AND GEOLOGICAL MAPPING,
6 DESCRIBING THE NATURAL PROCESSES THAT ACT UPON THE EARTH'S MATERIALS,
7 PREDICTING THE PROBABLE OCCURRENCE OF NATURAL RESOURCES, PREDICTING AND
8 LOCATING NATURAL OR HUMAN-INDUCED PHENOMENA WHICH MAY BE USEFUL OR
9 HAZARDOUS TO HUMANKIND AND RECOGNIZING, DETERMINING AND EVALUATING
10 GEOLOGICAL FACTORS, AND THE INSPECTION AND PERFORMANCE OF GEOLOGICAL
11 WORK AND THE RESPONSIBLE SUPERVISION THEREOF IN FURTHERANCE OF THE
12 HEALTH, SAFETY AND WELFARE OF THE PUBLIC; PROVIDED, HOWEVER, THAT
13 GEOLOGICAL MAPPING SHALL NOT INCLUDE THE PRACTICE OF LAND SURVEYING AS
14 DEFINED IN SECTION SEVENTY-TWO HUNDRED THREE OF THIS ARTICLE.

15 S 7204-B. PRACTICE OF GEOLOGY AND THE USE OF TITLE "PROFESSIONAL GEOL-
16 OGIST". ONLY A PERSON LICENSED OR OTHERWISE AUTHORIZED UNDER THIS ARTI-
17 CLE SHALL PRACTICE GEOLOGY OR USE THE TITLE "PROFESSIONAL GEOLOGIST".

18 S 7206-B. REQUIREMENTS FOR A LICENSE AS A PROFESSIONAL GEOLOGIST. 1.
19 TO QUALIFY FOR A LICENSE AS A PROFESSIONAL GEOLOGIST, AN APPLICANT SHALL
20 FULFILL THE FOLLOWING REQUIREMENTS:

21 (A) APPLICATION: FILE AN APPLICATION WITH THE DEPARTMENT;

22 (B) EDUCATION: HAVE RECEIVED AN EDUCATION, INCLUDING A BACHELOR'S OR
23 HIGHER DEGREE IN GEOLOGICAL SCIENCES, IN ACCORDANCE WITH THE COMMISSION-
24 ER'S REGULATIONS;

25 (C) EXPERIENCE: HAVE AT LEAST FIVE YEARS PRACTICAL EXPERIENCE SATIS-
26 FACTORY TO THE BOARD IN APPROPRIATE GEOLOGICAL WORK; UP TO ONE YEAR OF
27 EXPERIENCE MAY BE CREDITED FOR AN ADVANCED DEGREE (MASTERS, DOCTORATE OR
28 AN EQUIVALENT THEREOF) IN ACCORDANCE WITH THE COMMISSIONER'S REGU-
29 LATIONS;

30 (D) EXAMINATION: PASS AN EXAMINATION SATISFACTORY TO THE BOARD AND IN
31 ACCORDANCE WITH THE COMMISSIONER'S REGULATIONS;

32 (E) AGE: BE AT LEAST TWENTY-ONE YEARS OF AGE;

33 (F) CHARACTER: BE OF GOOD MORAL CHARACTER AS DETERMINED BY THE DEPART-
34 MENT; AND

35 (G) FEES: PAY A FEE OF TWO HUNDRED TWENTY DOLLARS TO THE DEPARTMENT
36 FOR ADMISSION TO A DEPARTMENT CONDUCTED EXAMINATION AND FOR AN INITIAL
37 LICENSE, AND A FEE OF TWO HUNDRED TEN DOLLARS FOR EACH TRIENNIAL REGIS-
38 TRATION PERIOD.

39 2. IN LIEU OF THE DEGREE AND EXPERIENCE REQUIREMENTS SPECIFIED IN
40 PARAGRAPHS (B) AND (C) OF SUBDIVISION ONE OF THIS SECTION, TWELVE YEARS
41 OF PRACTICAL EXPERIENCE IN GEOLOGICAL WORK OF A GRADE AND CHARACTER
42 SATISFACTORY TO THE BOARD MAY BE ACCEPTED BY THE DEPARTMENT.

43 3. FOR AN IDENTIFICATION CARD AS AN "INTERN GEOLOGIST", AN APPLICANT
44 SHALL FULFILL THE REQUIREMENTS OF SUBDIVISION ONE OF THIS SECTION,
45 EXCEPT THOSE IN PARAGRAPHS (C) AND (E) OF SUCH SUBDIVISION, PROVIDED
46 THAT ADMISSION TO THE EXAMINATION MAY BE GIVEN WHEN THE APPLICANT IS
47 WITHIN TWENTY CREDITS OF THE COMPLETION OF THE REQUIREMENTS OF THE BACH-
48 ELOR'S DEGREE OR HIGHER AS PRESCRIBED IN PARAGRAPH (B) OF SUBDIVISION
49 ONE OF THIS SECTION, OR HAS COMPLETED THE PRACTICAL EXPERIENCE REQUIRE-
50 MENT OF SUBDIVISION TWO OF THIS SECTION. THE FEE FOR THE EXAMINATION AND
51 IDENTIFICATION CARD AS AN "INTERN GEOLOGIST" SHALL BE SEVENTY DOLLARS
52 AND THE FEE FOR EACH REEXAMINATION SHALL BE SEVENTY DOLLARS.

53 4. AN APPLICANT WHO APPLIES FOR LICENSURE WITHIN ONE YEAR AFTER THE
54 EFFECTIVE DATE OF THIS SECTION SHALL BE QUALIFIED FOR A LICENSE AS A
55 PROFESSIONAL GEOLOGIST WITHOUT A WRITTEN EXAMINATION IF THE APPLICANT
56 HAS SATISFIED THE REQUIREMENTS OF EDUCATION AND DEGREE DESCRIBED IN

1 PARAGRAPHS (B) AND (C) OF SUBDIVISION ONE OR SUBDIVISION TWO OF THIS
2 SECTION NO LATER THAN ONE YEAR AFTER THE EFFECTIVE DATE OF THIS SECTION.

3 S 4. Section 7205 of the education law, as amended by chapter 521 of
4 the laws of 1998, is amended to read as follows:

5 S 7205. State board for engineering [and], land surveying AND GEOLOGY.
6 A state board for engineering [and], land surveying AND GEOLOGY shall be
7 appointed by the board of regents on recommendation of the commissioner
8 for the purpose of assisting the board of regents and the department on
9 matters of professional licensing and professional conduct in accordance
10 with section sixty-five hundred eight of this title. The board shall be
11 composed of not less than seven professional engineers [and], not less
12 than two land surveyors AND NOT LESS THAN TWO PROFESSIONAL GEOLOGISTS
13 licensed in this state. An executive secretary to the board shall be
14 appointed by the board of regents on recommendation of the commissioner
15 and shall be a professional engineer [or], land surveyor OR PROFESSIONAL
16 GEOLOGIST licensed in this state.

17 S 5. Subdivision 2 of section 7207 of the education law, as added by
18 chapter 987 of the laws of 1971, is amended to read as follows:

19 2. A limited permit to practice as a professional engineer [or], land
20 surveyor OR PROFESSIONAL GEOLOGIST in this state may be issued by the
21 department to a person not a resident in this state and having no estab-
22 lished place of practice in this state, when such practice does not
23 aggregate more than thirty days in any calendar year, provided that such
24 person is legally qualified to practice in his own state or country. The
25 limited permit authorizing such right to practice in this state shall
26 specify the dates within the calendar year when such right may be exer-
27 cised.

28 S 6. Subdivision 3 of section 7207 of the education law is renumbered
29 subdivision 4 and a new subdivision 3 is added to read as follows:

30 3. ON RECOMMENDATION OF THE BOARD, THE DEPARTMENT MAY ISSUE A LIMITED
31 PERMIT TO PRACTICE GEOLOGY TO A GEOLOGIST NOT A RESIDENT OF THIS STATE
32 AND HAVING NO ESTABLISHED PLACE OF PRACTICE IN THIS STATE WHO IS LEGALLY
33 QUALIFIED TO PRACTICE AS SUCH IN HIS OR HER OWN COUNTRY OR STATE WITH
34 STANDARDS EQUIVALENT TO THOSE ENUMERATED IN THIS ARTICLE AND WHO SUBMITS
35 EVIDENCE SATISFACTORY TO THE BOARD ESTABLISHED AND RECOGNIZED PROFES-
36 SIONAL STANDING IN HIS OR HER OWN COUNTRY OR STATE AND WHO SUBMITS
37 SATISFACTORY CERTIFICATION AS TO CHARACTER AND QUALIFICATIONS FROM AT
38 LEAST TWO PROFESSIONAL GEOLOGISTS, ONE OF WHOM SHALL BE A RESIDENT OF
39 THIS STATE. SUCH LIMITED PERMIT SHALL BE ISSUED SOLELY IN CONNECTION
40 WITH THE SPECIFIC PROJECT FOR WHICH SUCH LIMITED PERMIT IS GRANTED.

41 S 7. The section heading of section 7208 of the education law, as
42 added by chapter 987 of the laws of 1971, is amended to read as follows:

43 Exempt persons FOR THE PROFESSIONS OF ENGINEERING AND LAND SURVEYING.

44 S 8. The education law is amended by adding a new section 7208-a to
45 read as follows:

46 S 7208-A. EXEMPT PERSONS IN OR RELATED TO THE PROFESSION OF GEOLOGY.
47 NOTHING IN THIS ARTICLE SHALL BE CONSTRUED TO AFFECT OR PREVENT:

48 1. THE EMPLOYMENT AND SUPERVISION OF INTERNS AND OTHER PERSONS QUALI-
49 FIED BY EDUCATION OR EXPERIENCE BY PROFESSIONAL GEOLOGISTS AS ASSISTANTS
50 IN THE PERFORMANCE OF GEOLOGICAL SERVICES, OR AS CONSULTANTS OR EMPLOY-
51 EES IN SPECIAL FIELDS RELATED TO BUT NOT UNIQUELY GEOLOGY, PROVIDED THAT
52 THE PROFESSIONAL GEOLOGIST EMPLOYING OR SUPERVISING SUCH PERSONS SHALL
53 NOT BE RELIEVED OF ANY RESPONSIBILITY WHATSOEVER BY DELEGATION TO SUCH
54 PERSONS.

55 2. THE PRACTICE OF PROFESSIONAL ENGINEERING BY A PROFESSIONAL ENGINEER
56 LICENSED PURSUANT TO THIS ARTICLE TO PRACTICE ENGINEERING IN THIS STATE

OR AN ENTITY AUTHORIZED PURSUANT TO SECTION SEVENTY-TWO HUNDRED TEN OF THIS ARTICLE TO PROVIDE ENGINEERING IN THIS STATE, INCLUDING THE INVESTIGATION, ACQUISITION, EVALUATION, AND INTERPRETATION OF THE PHYSICAL AND CHEMICAL PROPERTIES OF THE SOIL, ROCK, GROUNDWATER, EARTH MATERIALS AND DATA RELATED THERETO, AND THE PERFORMANCE OF ACTIVITIES AS SPECIFIED IN SECTION SEVENTY-TWO HUNDRED FOUR-A OF THIS ARTICLE, PROVIDED THAT NO SUCH PERSON SHALL USE THE DESIGNATION, OR HOLD HIMSELF OR HERSELF OUT AS A "PROFESSIONAL GEOLOGIST," UNLESS LICENSED AS SUCH IN THIS STATE.

3. THE PRACTICE OF LAND SURVEYING BY ANY PERSON THAT IS LICENSED OR OTHERWISE AUTHORIZED TO PRACTICE LAND SURVEYING IN THIS STATE, PROVIDED THAT NO SUCH PERSON SHALL USE THE DESIGNATION OR HOLD HIMSELF OR HERSELF OUT AS A "PROFESSIONAL GEOLOGIST" UNLESS LICENSED AS SUCH IN THIS STATE.

4. THE EXECUTION OF WORK BY CONTRACTORS OR BY OTHERS OF WORK PREPARED BY A PROFESSIONAL GEOLOGIST, OR THE SUPERINTENDENCE OF SUCH WORK AS A SUPERINTENDENT, FOREMAN OR INSPECTOR.

5. THE PRACTICE OF THE PROFESSION OF GEOLOGY BY OFFICERS AND EMPLOYEES OF THIS STATE PRACTICING SOLELY AS OFFICERS AND EMPLOYEES; PROVIDED, HOWEVER, THAT THIS EXEMPTION SHALL NOT APPLY TO OFFICERS AND EMPLOYEES OF THE STATE OF NEW YORK WHO COMMENCE EMPLOYMENT OR THE PERFORMANCE OF WORK RELATED ACTIVITIES AFTER THE EFFECTIVE DATE OF THIS SECTION.

6. THE EXECUTION OF GEOLOGICAL RESEARCH AND/OR TEACHING CONDUCTED AT ACCREDITED EDUCATIONAL INSTITUTIONS AND NOT-FOR-PROFIT RESEARCH INSTITUTIONS, CONDUCTED SOLELY THROUGH THOSE INSTITUTIONS.

7. WORK CUSTOMARILY PERFORMED BY PHYSICAL OR NATURAL SCIENTISTS PROVIDED SUCH WORK DOES NOT INCLUDE GEOLOGICAL INVESTIGATIONS, BEING IN RESPONSIBLE CHARGE OF GEOLOGICAL WORK, OR THE DRAWING OF GEOLOGICAL CONCLUSIONS AND RECOMMENDATIONS.

8. WORK CUSTOMARILY PERFORMED BY WATER WELL DRILLERS WHO HAVE RECEIVED A CERTIFICATE OF REGISTRATION PURSUANT TO SECTION 15-1525 OF THE ENVIRONMENTAL CONSERVATION LAW.

S 9. Subdivisions 1, 2 and 4 of section 7209 of the education law, subdivisions 1 and 2 as added by chapter 987 of the laws of 1971, the opening paragraph of subdivision 1 as amended by chapter 994 of the laws of 1971 and subdivision 4 as amended by chapter 550 of the laws of 2011, are amended to read as follows:

1. Every professional engineer [and every], land surveyor AND PROFESSIONAL GEOLOGIST shall have a seal, approved by the board, which shall contain the name of the professional engineer and the words "Licensed Professional Engineer" [or], the name of the land surveyor and the words "Licensed Land Surveyor" OR THE NAME OF THE PROFESSIONAL GEOLOGIST AND THE WORDS "LICENSED PROFESSIONAL GEOLOGIST", and such other words or figures as the board may deem necessary. All plans, specifications, plats and reports relating to the construction or alteration of buildings or structures, OR GEOLOGIC DRAWINGS AND REPORTS prepared by such professional engineer [and], all plans, specifications, plats and reports prepared by such land surveyor AND ALL GEOLOGIC DRAWINGS AND REPORTS PREPARED BY SUCH PROFESSIONAL GEOLOGIST or by a full-time or part-time subordinate under his OR HER supervision, shall be stamped with such seal and shall also be signed, on the original with the personal signature of such professional engineer [or], land surveyor OR PROFESSIONAL GEOLOGIST when filed with public officials. No official of this state, or of any city, county, town or village therein, charged with the enforcement of laws, ordinances or regulations shall accept or approve any plans [or], specifications, OR GEOLOGIC DRAWINGS OR REPORTS that are not stamped:

1 a. With the seal of an architect or professional engineer or land
2 surveyor OR PROFESSIONAL GEOLOGIST licensed in this state and bearing
3 the authorized facsimile of the signature of such architect or profes-
4 sional engineer or land surveyor OR PROFESSIONAL GEOLOGIST, or

5 b. With the official seal and authorized facsimile of the signature of
6 a professional engineer or land surveyor OR PROFESSIONAL GEOLOGIST not a
7 resident of this state and having no established business in this state,
8 but who is legally qualified to practice as such in his OR HER own state
9 or country, provided that such person may lawfully practice as such in
10 this state, and provided further that the plans [or], specifications, OR
11 GEOLOGIC DRAWINGS OR REPORTS are accompanied by and have attached there-
12 to written authorization issued by the department certifying to such
13 right to practice at such time.

14 2. A. To all plans, specifications, plats and reports to which the
15 seal of a professional engineer or land surveyor has been applied, there
16 shall also be applied a stamp with appropriate wording warning that it
17 is a violation of this [law] ARTICLE for any person, unless he OR SHE is
18 acting under the direction of a licensed professional engineer or land
19 surveyor, to alter an item in any way. If an item bearing the seal of an
20 engineer or land surveyor is altered, the altering engineer or land
21 surveyor shall affix to the item his OR HER seal and the notation
22 "altered by" followed by his OR HER signature and the date of such
23 alteration, and a specific description of the alteration.

24 B. TO ALL GEOLOGIC DRAWINGS AND REPORTS TO WHICH THE SEAL OF A PROFES-
25 SIONAL GEOLOGIST OR PROFESSIONAL ENGINEER HAS BEEN APPLIED, THERE SHALL
26 ALSO BE APPLIED A STAMP WITH APPROPRIATE WORDING WARNING THAT IT IS A
27 VIOLATION OF THIS ARTICLE FOR ANY PERSON, UNLESS HE OR SHE IS ACTING
28 UNDER THE DIRECTION OF A PROFESSIONAL GEOLOGIST OR PROFESSIONAL ENGI-
29 NEER, TO ALTER A DRAWING OR REPORT IN ANY WAY. IF AN ITEM BEARING THE
30 SEAL OF A LICENSED PROFESSIONAL GEOLOGIST OR PROFESSIONAL ENGINEER IS
31 ALTERED, THE ALTERING PARTY SHALL AFFIX TO THE ITEM HIS OR HER SEAL AND
32 THE NOTATION "ALTERED BY" FOLLOWED BY HIS OR HER SIGNATURE AND THE DATE
33 OF SUCH ALTERATION, AND A SPECIFIC DESCRIPTION OF THE ALTERATION. NOTH-
34 ING CONTAINED IN THIS ARTICLE SHALL BE DEEMED TO AUTHORIZE A PROFES-
35 SIONAL GEOLOGIST TO PRACTICE PROFESSIONAL ENGINEERING UNLESS HE OR SHE
36 IS LICENSED AS A PROFESSIONAL ENGINEER PURSUANT TO THIS ARTICLE.

37 4. Engineers, land surveyors, GEOLOGISTS, architects, and landscape
38 architects may join in the formation of a joint enterprise, or a part-
39 nership or a professional service corporation or a design professional
40 service corporation or may form any desired combination of such
41 professions and may use in the name of such corporation the title of any
42 of the professions which will be practiced. After the name of each
43 member his or her profession shall be indicated.

44 S 10. Subdivision 1 of section 7210 of the education law, as amended
45 by chapter 550 of the laws of 2011, is amended to read as follows:

46 1. Domestic or foreign professional service corporations, design
47 professional service corporations, professional service limited liabil-
48 ity companies, foreign professional service limited liability companies,
49 registered limited liability partnerships, New York registered foreign
50 limited liability partnerships, partnerships and joint enterprises spec-
51 ified in subdivision four of section seventy-two hundred nine of this
52 article, provided each of the foregoing entities is authorized to
53 provide professional engineering [or], land surveying OR PROFESSIONAL
54 GEOLOGY services and general business corporations authorized to provide
55 professional engineering or land surveying services pursuant to subdivi-
56 sion six of section seventy-two hundred nine of this article may offer

1 to provide or provide professional engineering [or], land surveying OR
2 PROFESSIONAL GEOLOGY services only after obtaining a certificate of
3 authorization from the department. Except as otherwise authorized by
4 statute, rule or regulation, other business entities are not authorized
5 to offer or provide professional engineering [or], land surveying OR
6 PROFESSIONAL GEOLOGY services and may not obtain certificates of author-
7 ization provided that nothing contained herein shall prohibit an indi-
8 vidual who is licensed to practice professional engineering [or], land
9 surveying OR PROFESSIONAL GEOLOGY under this article from obtaining a
10 certificate of authorization upon application and payment of the appro-
11 priate fees provided for under this section.

12 S 11. Subdivision 2 of section 7307 of the education law, as amended
13 by chapter 550 of the laws of 2011, is amended to read as follows:

14 2. Engineers, land surveyors, GEOLOGISTS, architects and landscape
15 architects may join in the formation of a joint enterprise, or a part-
16 nership or a professional service corporation or a design professional
17 service corporation or may form any desired combination of such
18 professions and may use in the name of such corporation the title of any
19 of the professions which will be practiced. After the name of each
20 member his or her profession shall be indicated.

21 S 12. Subdivision 2 of section 7327 of the education law, as amended
22 by chapter 550 of the laws of 2011, is amended to read as follows:

23 2. Engineers, land surveyors, GEOLOGISTS, architects and landscape
24 architects may join in the formation of a joint enterprise, or a part-
25 nership or a professional service corporation or a design professional
26 service corporation or may form any desired combination of such
27 professions and may use in the name of such corporation the title of any
28 of the professions which will be practiced. After the name of each
29 member his or her profession shall be indicated.

30 S 13. Paragraphs (g) and (h) of section 1501 of the business corpo-
31 ration law, as added by chapter 9 of the laws of 2013, are amended to
32 read as follows:

33 (g) "Design professional service corporation" means a corporation
34 organized under this article practicing professional engineering, archi-
35 tecture, landscape architecture, GEOLOGY, or land surveying, or practic-
36 ing any combination of such professions. The provisions of this article
37 applicable to professional service corporations shall apply to design
38 professional service corporations except to the extent that any
39 provision is either inconsistent with a provision expressly applying to
40 design professional service corporations or not relevant thereto.

41 (h) "Design professional" means an individual licensed and registered
42 pursuant to title eight of the education law to practice professional
43 engineering, architecture, landscape architecture, GEOLOGY or land
44 surveying.

45 S 14. Paragraph (a) of section 1503 of the business corporation law,
46 as amended by chapter 550 of the laws of 2011, is amended to read as
47 follows:

48 (a) Notwithstanding any other provision of law, one or more individ-
49 uals duly authorized by law to render the same professional service
50 within the state may organize, or cause to be organized, a professional
51 service corporation for pecuniary profit under this article for the
52 purpose of rendering the same professional service, except that one or
53 more individuals duly authorized by law to practice professional engi-
54 neering, architecture, landscape architecture [or], land surveying OR
55 GEOLOGY within the state may organize, or cause to be organized, a
56 professional service corporation or a design professional service corpo-

1 ration for pecuniary profit under this article for the purpose of
2 rendering such professional services as such individuals are authorized
3 to practice.

4 S 15. The opening paragraph of paragraph (b-5) of section 1503 of the
5 business corporation law, as amended by chapter 9 of the laws of 2013,
6 is amended to read as follows:

7 On or after January first, two thousand twelve, the state education
8 department and the department of state shall allow an existing profes-
9 sional service corporation organized under this article and practicing
10 professional engineering, architecture, landscape architecture, GEOLOGY
11 or land surveying, or practicing any combination of such professions to
12 become a design professional service corporation as defined in this
13 article, provided the professional service corporation meets all of the
14 requirements to become a design professional service corporation,
15 including that its name shall end with the words "design professional
16 corporation" or the abbreviation "D.P.C.", by amending its certificate
17 of incorporation so that it contains the following statements:

18 S 16. Paragraph (b) of section 1504 of the business corporation law,
19 as amended by chapter 550 of the laws of 2011, is amended to read as
20 follows:

21 (b) Each final plan and report made or issued by a corporation prac-
22 ticing one or more of the professions of professional engineering,
23 architecture, landscape architecture [or], land surveying OR GEOLOGY
24 shall bear the name and seal of one or more professional engineers,
25 architects, landscape architects, [or] land surveyors OR PROFESSIONAL
26 GEOLOGISTS, respectively, who are in responsible charge of such plan or
27 report.

28 S 17. Section 12 of chapter 550 of the laws of 2011, amending the
29 business corporation law and the education law relating to design
30 professional service corporations, is REPEALED.

31 S 18. Section 1516 of the business corporation law, as amended by
32 chapter 564 of the laws of 2011, is amended to read as follows:

33 S 1516. Corporate mergers, consolidations and other reorganizations.

34 (a) Notwithstanding any inconsistent provision of this article, AND
35 SUBJECT TO THE LIMITATIONS IN PARAGRAPH (D) OF THIS SECTION, a profes-
36 sional service corporation, INCLUDING A DESIGN PROFESSIONAL SERVICE
37 CORPORATION, pursuant to the provisions of article nine of this chapter,
38 may be merged or consolidated with another corporation formed pursuant
39 to the provisions of this chapter [or], with a corporation authorized
40 and registered to practice the same profession pursuant to the applica-
41 ble provisions of subdivision six of section seventy-two hundred nine of
42 the education law (engineer or land surveyor) [or], subdivision four of
43 section seventy-three hundred seven of the education law (architect) OR
44 SUBDIVISION FOUR OF SECTION SEVENTY-THREE HUNDRED TWENTY-SEVEN OF THE
45 EDUCATION LAW (LANDSCAPE ARCHITECT) of [article] ARTICLES one hundred
46 forty-five, ONE HUNDRED FORTY-SEVEN AND ONE HUNDRED FORTY-EIGHT of the
47 education law, or with a foreign corporation, or other business entity
48 practicing the same profession or professions in this state or the state
49 of its formation, or may be otherwise reorganized, provided that the
50 corporation which survives or which is formed pursuant thereto is a
51 professional service corporation, A DESIGN PROFESSIONAL SERVICE CORPO-
52 RATION, a professional service limited liability company or a foreign
53 professional service corporation practicing the same profession or
54 professions in this state or the state of incorporation or, if one of
55 the original corporations is authorized to practice pursuant to the
56 provisions of either subdivision six of section seventy-two hundred nine

1 [or], subdivision four of section seventy-three hundred seven OR SUBDI-
2 VISION FOUR OF SECTION SEVENTY-THREE HUNDRED TWENTY-FOUR OF THE EDUCA-
3 TION LAW, a corporation authorized and registered to practice the same
4 profession pursuant to the applicable provisions of subdivision six of
5 section seventy-two hundred nine of the education law (engineer or land
6 surveyor) [or], subdivision four of section seventy-three hundred seven
7 of the education law (architect) of [article] ARTICLES one hundred
8 forty-five, ONE HUNDRED FORTY-SEVEN AND ONE HUNDRED FORTY-EIGHT OR
9 SUBDIVISION FOUR OF SECTION SEVENTY-THREE HUNDRED TWENTY-SEVEN of the
10 education law.

11 (b) If the surviving business entity is a professional corporation,
12 the restrictions on the issuance, transfer or sale of shares of a
13 professional service corporation OR A DESIGN PROFESSIONAL SERVICE CORPO-
14 RATION shall be suspended for a period not exceeding thirty days with
15 respect to any issuance, transfer or sale of shares made pursuant to
16 such merger, consolidation or reorganization, provided that: (i) no
17 person who would not be eligible to be a shareholder in the absence of
18 this section shall vote the shares of or receive any distribution from
19 such corporation; (ii) after such merger, consolidation or reorganiza-
20 tion, any professional service corporation OR A DESIGN PROFESSIONAL
21 SERVICE CORPORATION which survives or which is created thereby shall be
22 subject to all of the provisions of this article; and (iii) shares ther-
23 eafter only may be held by persons who are eligible to receive shares of
24 such professional service corporation, DESIGN PROFESSIONAL SERVICE
25 CORPORATION or such other corporation authorized and registered to prac-
26 tice the same profession pursuant to the applicable provisions of subdi-
27 vision six of section seventy-two hundred nine of the education law
28 (engineer or land surveyor) [or], subdivision four of section seventy-
29 three hundred seven of the education law (architect) OR SUBDIVISION FOUR
30 OF SECTION SEVENTY-THREE HUNDRED TWENTY-SEVEN OF THE EDUCATION LAW
31 (LANDSCAPE ARCHITECT) of [article] ARTICLES one hundred forty-five, ONE
32 HUNDRED FORTY-SEVEN AND ONE HUNDRED FORTY-EIGHT of the education law,
33 which survives. Nothing herein contained shall be construed as permit-
34 ting the practice of a profession in this state by a corporation which
35 is not incorporated pursuant to the provisions of this article or
36 authorized to do business in this state pursuant to the provisions of
37 article fifteen-A of this chapter, AUTHORIZED PURSUANT TO SUBDIVISION
38 SIX OF SECTION SEVENTY-TWO HUNDRED NINE OF THE EDUCATION LAW, AUTHORIZED
39 PURSUANT TO SUBDIVISION FOUR OF SECTION SEVENTY-THREE HUNDRED SEVEN OF
40 THE EDUCATION LAW, AUTHORIZED PURSUANT TO SUBDIVISION FOUR OF SECTION
41 SEVENTY-THREE HUNDRED TWENTY-SEVEN OF THE EDUCATION LAW or authorized
42 and registered to practice a profession pursuant to the applicable
43 provisions of article one hundred forty-five, ONE HUNDRED FORTY-SEVEN OR
44 ONE HUNDRED FORTY-EIGHT of the education law. For the purposes of this
45 section, other reorganizations shall be limited to those reorganizations
46 defined in paragraph one of subsection (a) of section three hundred
47 sixty-eight of the internal revenue code.

48 (c) If the surviving business entity is a professional service limited
49 liability company, the restrictions on the issuance, transfer or sale of
50 membership interests of a professional service limited liability company
51 other than the requirements of the first two sentences of subdivision
52 (c) of section twelve hundred eleven of the limited liability company
53 law, shall be suspended for a period not exceeding thirty days with
54 respect to any issuance, transfer or sale of membership interests made
55 pursuant to such merger or consolidation, provided that: (i) no person
56 or business entity who would not be eligible to be a member in the

1 absence of this section shall vote or receive any distribution from such
2 limited liability company; (ii) after such merger or consolidation, any
3 professional service limited liability company that survives or that is
4 created thereby shall be subject to all the provisions of the limited
5 liability company law; and (iii) membership interests thereafter may be
6 held only by persons or business entities who are eligible to be a
7 member of such professional service limited liability company. Nothing
8 herein contained shall be construed as permitting the practice of a
9 profession in this state by a limited liability company that is not
10 formed pursuant to the provisions of the limited liability company law
11 or authorized to do business in the state pursuant to the provisions of
12 article thirteen of the limited liability company law.

13 (D) NOTWITHSTANDING THE PROVISIONS CONTAINED IN PARAGRAPHS (A), (B)
14 AND (C) OF THIS SECTION, NO DESIGN PROFESSIONAL SERVICE CORPORATION
15 SHALL BE MERGED OR CONSOLIDATED WITH ANY ENTITY UNLESS SUCH ENTITY IS A
16 PROFESSIONAL BUSINESS ORGANIZATION LAWFULLY ORGANIZED TO PROVIDE PROFES-
17 SIONAL SERVICES PURSUANT TO ARTICLES ONE HUNDRED FORTY-FIVE, ONE HUNDRED
18 FORTY-SEVEN AND ONE HUNDRED FORTY-EIGHT OF THE EDUCATION LAW.

19 S 19. Paragraph (b) of section 1526 of the business corporation law,
20 as added by chapter 505 of the laws of 1983, is amended to read as
21 follows:

22 (b) Each final plan, DRAWING and report made or issued by a foreign
23 professional service corporation practicing professional engineering,
24 architecture, landscape architecture, GEOLOGY or land surveying shall
25 bear the name and seal of one or more professional engineers, archi-
26 tects, landscape architects, PROFESSIONAL GEOLOGISTS or land surveyors,
27 respectively, who are in responsible charge of such plan or report.

28 S 20. Section 1529 of the business corporation law, as amended by
29 chapter 576 of the laws of 1994, is amended to read as follows:
30 S 1529. Business corporation law applicable.

31 Except for the provisions of sections thirteen hundred three, thirteen
32 hundred four, thirteen hundred sixteen, thirteen hundred seventeen and
33 thirteen hundred twenty, this chapter shall be applicable to a foreign
34 professional service corporation to the extent that the provisions ther-
35 eof are not in conflict with the provisions of this article. A foreign
36 professional service corporation may practice in this state, or may
37 consolidate or merge with another corporation, or may be a member of a
38 professional service limited liability company, a foreign professional
39 service limited liability company, a registered limited liability part-
40 nership or foreign limited liability partnership, only if all of the
41 professions practiced by such corporations, limited liability companies
42 or limited liability partnerships could be practiced by a single profes-
43 sional service corporation organized in this state; and, further, only
44 if such foreign professional service corporation is domiciled in a state
45 or territory of the United States the laws of which, at the time of
46 application by such corporation under section fifteen hundred thirty of
47 this article, contain a reciprocal provision under which professional
48 service corporations domiciled in this state may similarly apply for the
49 privilege of doing business in any such state or territory; provided
50 further however, that nothing herein shall authorize a foreign profes-
51 sional service corporation practicing professional engineering, land
52 surveying, GEOLOGY, architecture and/or landscape architecture to be a
53 member or partner of a professional service limited liability company, a
54 foreign professional service limited liability company, a registered
55 limited liability partnership or a foreign limited liability partnership
56 unless all of the shareholders, directors and officers of such foreign

1 professional service corporation are licensed to practice one or more of
2 such professions in this state.

3 S 21. Subdivision (a) of section 1203 of the limited liability company
4 law, as amended by chapter 554 of the laws of 2013, is amended to read
5 as follows:

6 (a) Notwithstanding the education law or any other provision of law,
7 one or more professionals each of whom is authorized by law to render a
8 professional service within the state, or one or more professionals, at
9 least one of whom is authorized by law to render a professional service
10 within the state, may form, or cause to be formed, a professional
11 service limited liability company for pecuniary profit under this arti-
12 cle for the purpose of rendering the professional service or services as
13 such professionals are authorized to practice. With respect to a profes-
14 sional service limited liability company formed to provide medical
15 services as such services are defined in article 131 of the education
16 law, each member of such limited liability company must be licensed
17 pursuant to article 131 of the education law to practice medicine in
18 this state. With respect to a professional service limited liability
19 company formed to provide dental services as such services are defined
20 in article 133 of the education law, each member of such limited liabil-
21 ity company must be licensed pursuant to article 133 of the education
22 law to practice dentistry in this state. With respect to a professional
23 service limited liability company formed to provide veterinary services
24 as such services are defined in article 135 of the education law, each
25 member of such limited liability company must be licensed pursuant to
26 article 135 of the education law to practice veterinary medicine in this
27 state. With respect to a professional service limited liability company
28 formed to provide professional engineering, land surveying, architec-
29 tural [and/or], landscape architectural AND/OR GEOLOGICAL services as
30 such services are defined in article 145, article 147 and article 148 of
31 the education law, each member of such limited liability company must be
32 licensed pursuant to article 145, article 147 and/or article 148 of the
33 education law to practice one or more of such professions in this state.
34 With respect to a professional service limited liability company formed
35 to provide licensed clinical social work services as such services are
36 defined in article 154 of the education law, each member of such limited
37 liability company shall be licensed pursuant to article 154 of the
38 education law to practice licensed clinical social work in this state.
39 With respect to a professional service limited liability company formed
40 to provide creative arts therapy services as such services are defined
41 in article 163 of the education law, each member of such limited liabil-
42 ity company must be licensed pursuant to article 163 of the education
43 law to practice creative arts therapy in this state. With respect to a
44 professional service limited liability company formed to provide
45 marriage and family therapy services as such services are defined in
46 article 163 of the education law, each member of such limited liability
47 company must be licensed pursuant to article 163 of the education law to
48 practice marriage and family therapy in this state. With respect to a
49 professional service limited liability company formed to provide mental
50 health counseling services as such services are defined in article 163
51 of the education law, each member of such limited liability company must
52 be licensed pursuant to article 163 of the education law to practice
53 mental health counseling in this state. With respect to a professional
54 service limited liability company formed to provide psychoanalysis
55 services as such services are defined in article 163 of the education
56 law, each member of such limited liability company must be licensed

1 pursuant to article 163 of the education law to practice psychoanalysis
2 in this state. With respect to a professional service limited liability
3 company formed to provide applied behavior analysis services as such
4 services are defined in article 167 of the education law, each member of
5 such limited liability company must be licensed or certified pursuant to
6 article 167 of the education law to practice applied behavior analysis
7 in this state. In addition to engaging in such profession or
8 professions, a professional service limited liability company may engage
9 in any other business or activities as to which a limited liability
10 company may be formed under section two hundred one of this chapter.
11 Notwithstanding any other provision of this section, a professional
12 service limited liability company (i) authorized to practice law may
13 only engage in another profession or business or activities or (ii)
14 which is engaged in a profession or other business or activities other
15 than law may only engage in the practice of law, to the extent not
16 prohibited by any other law of this state or any rule adopted by the
17 appropriate appellate division of the supreme court or the court of
18 appeals.

19 S 22. Subdivision (b) of section 1207 of the limited liability company
20 law, as amended by chapter 554 of the laws of 2013, is amended to read
21 as follows:

22 (b) With respect to a professional service limited liability company
23 formed to provide medical services as such services are defined in arti-
24 cle 131 of the education law, each member of such limited liability
25 company must be licensed pursuant to article 131 of the education law to
26 practice medicine in this state. With respect to a professional service
27 limited liability company formed to provide dental services as such
28 services are defined in article 133 of the education law, each member of
29 such limited liability company must be licensed pursuant to article 133
30 of the education law to practice dentistry in this state. With respect
31 to a professional service limited liability company formed to provide
32 veterinary services as such services are defined in article 135 of the
33 education law, each member of such limited liability company must be
34 licensed pursuant to article 135 of the education law to practice veter-
35 inary medicine in this state. With respect to a professional service
36 limited liability company formed to provide professional engineering,
37 land surveying, architectural [and/or], landscape architectural AND/OR
38 GEOLOGICAL services as such services are defined in article 145, article
39 147 and article 148 of the education law, each member of such limited
40 liability company must be licensed pursuant to article 145, article 147
41 and/or article 148 of the education law to practice one or more of such
42 professions in this state. With respect to a professional service limit-
43 ed liability company formed to provide licensed clinical social work
44 services as such services are defined in article 154 of the education
45 law, each member of such limited liability company shall be licensed
46 pursuant to article 154 of the education law to practice licensed clin-
47 ical social work in this state. With respect to a professional service
48 limited liability company formed to provide creative arts therapy
49 services as such services are defined in article 163 of the education
50 law, each member of such limited liability company must be licensed
51 pursuant to article 163 of the education law to practice creative arts
52 therapy in this state. With respect to a professional service limited
53 liability company formed to provide marriage and family therapy services
54 as such services are defined in article 163 of the education law, each
55 member of such limited liability company must be licensed pursuant to
56 article 163 of the education law to practice marriage and family therapy

1 in this state. With respect to a professional service limited liability
2 company formed to provide mental health counseling services as such
3 services are defined in article 163 of the education law, each member of
4 such limited liability company must be licensed pursuant to article 163
5 of the education law to practice mental health counseling in this state.
6 With respect to a professional service limited liability company formed
7 to provide psychoanalysis services as such services are defined in arti-
8 cle 163 of the education law, each member of such limited liability
9 company must be licensed pursuant to article 163 of the education law to
10 practice psychoanalysis in this state. With respect to a professional
11 service limited liability company formed to provide applied behavior
12 analysis services as such services are defined in article 167 of the
13 education law, each member of such limited liability company must be
14 licensed or certified pursuant to article 167 of the education law to
15 practice applied behavior analysis in this state.

16 S 23. Subdivisions (a) and (f) of section 1301 of the limited liabil-
17 ity company law, subdivision (a) as amended by chapter 554 of the laws
18 of 2013 and subdivision (f) as amended by chapter 170 of the laws of
19 1996, are amended to read as follows:

20 (a) "Foreign professional service limited liability company" means a
21 professional service limited liability company, whether or not denomi-
22 nated as such, organized under the laws of a jurisdiction other than
23 this state, (i) each of whose members and managers, if any, is a profes-
24 sional authorized by law to render a professional service within this
25 state and who is or has been engaged in the practice of such profession
26 in such professional service limited liability company or a predecessor
27 entity, or will engage in the practice of such profession in the profes-
28 sional service limited liability company within thirty days of the date
29 such professional becomes a member, or each of whose members and manag-
30 ers, if any, is a professional at least one of such members is author-
31 ized by law to render a professional service within this state and who
32 is or has been engaged in the practice of such profession in such
33 professional service limited liability company or a predecessor entity,
34 or will engage in the practice of such profession in the professional
35 service limited liability company within thirty days of the date such
36 professional becomes a member, or (ii) authorized by, or holding a
37 license, certificate, registration or permit issued by the licensing
38 authority pursuant to, the education law to render a professional
39 service within this state; except that all members and managers, if any,
40 of a foreign professional service limited liability company that
41 provides health services in this state shall be licensed in this state.
42 With respect to a foreign professional service limited liability company
43 which provides veterinary services as such services are defined in arti-
44 cle 135 of the education law, each member of such foreign professional
45 service limited liability company shall be licensed pursuant to article
46 135 of the education law to practice veterinary medicine. With respect
47 to a foreign professional service limited liability company which
48 provides medical services as such services are defined in article 131 of
49 the education law, each member of such foreign professional service
50 limited liability company must be licensed pursuant to article 131 of
51 the education law to practice medicine in this state. With respect to a
52 foreign professional service limited liability company which provides
53 dental services as such services are defined in article 133 of the
54 education law, each member of such foreign professional service limited
55 liability company must be licensed pursuant to article 133 of the educa-
56 tion law to practice dentistry in this state. With respect to a foreign

1 professional service limited liability company which provides profes-
2 sional engineering, land surveying, GEOLOGIC, architectural and/or land-
3 scape architectural services as such services are defined in article
4 145, article 147 and article 148 of the education law, each member of
5 such foreign professional service limited liability company must be
6 licensed pursuant to article 145, article 147 and/or article 148 of the
7 education law to practice one or more of such professions in this state.
8 With respect to a foreign professional service limited liability company
9 which provides licensed clinical social work services as such services
10 are defined in article 154 of the education law, each member of such
11 foreign professional service limited liability company shall be licensed
12 pursuant to article 154 of the education law to practice clinical social
13 work in this state. With respect to a foreign professional service
14 limited liability company which provides creative arts therapy services
15 as such services are defined in article 163 of the education law, each
16 member of such foreign professional service limited liability company
17 must be licensed pursuant to article 163 of the education law to prac-
18 tice creative arts therapy in this state. With respect to a foreign
19 professional service limited liability company which provides marriage
20 and family therapy services as such services are defined in article 163
21 of the education law, each member of such foreign professional service
22 limited liability company must be licensed pursuant to article 163 of
23 the education law to practice marriage and family therapy in this state.
24 With respect to a foreign professional service limited liability company
25 which provides mental health counseling services as such services are
26 defined in article 163 of the education law, each member of such foreign
27 professional service limited liability company must be licensed pursuant
28 to article 163 of the education law to practice mental health counseling
29 in this state. With respect to a foreign professional service limited
30 liability company which provides psychoanalysis services as such
31 services are defined in article 163 of the education law, each member of
32 such foreign professional service limited liability company must be
33 licensed pursuant to article 163 of the education law to practice
34 psychoanalysis in this state. With respect to a foreign professional
35 service limited liability company which provides applied behavior analy-
36 sis services as such services are defined in article 167 of the educa-
37 tion law, each member of such foreign professional service limited
38 liability company must be licensed or certified pursuant to article 167
39 of the education law to practice applied behavior analysis in this
40 state.

41 (f) "Professional partnership" means (1) a partnership without limited
42 partners each of whose partners is a professional authorized by law to
43 render a professional service within this state, (2) a partnership with-
44 out limited partners each of whose partners is a professional, at least
45 one of whom is authorized by law to render a professional service within
46 this state or (3) a partnership without limited partners authorized by,
47 or holding a license, certificate, registration or permit issued by the
48 licensing authority pursuant to the education law to render a profes-
49 sional service within this state; except that all partners of a profes-
50 sional partnership that provides medical services in this state must be
51 licensed pursuant to article 131 of the education law to practice medi-
52 cine in this state and all partners of a professional partnership that
53 provides dental services in this state must be licensed pursuant to
54 article 133 of the education law to practice dentistry in this state;
55 except that all partners of a professional partnership that provides
56 veterinary services in this state must be licensed pursuant to article

1 135 of the education law to practice veterinary medicine in this state;
2 and further except that all partners of a professional partnership that
3 provides professional engineering, land surveying, GEOLOGIC, architec-
4 tural, and/or landscape architectural services in this state must be
5 licensed pursuant to article 145, article 147 and/or article 148 of the
6 education law to practice one or more of such professions.

7 S 24. Subdivision (b) of section 1302 of the limited liability company
8 law is amended to read as follows:

9 (b) Each final plan and report made or issued by a foreign profes-
10 sional service limited liability company practicing professional engi-
11 neering, GEOLOGY, architecture, landscape architecture or land surveying
12 shall bear the name and seal of one or more professional engineers,
13 PROFESSIONAL GEOLOGISTS, architects, landscape architects, or land
14 surveyors, respectively, who are in responsible charge of such plan or
15 report.

16 S 25. The ninth and fourteenth undesignated paragraphs of section 2 of
17 the partnership law, the ninth undesignated paragraph as amended by
18 chapter 643 of the laws of 1995 and the fourteenth undesignated para-
19 graph as added by chapter 576 of the laws of 1994, are amended to read
20 as follows:

21 "Foreign limited liability partnership" means (i) any partnership
22 without limited partners operating under an agreement governed by the
23 laws of any jurisdiction, other than this state, each of whose partners
24 is a professional authorized by law to render a professional service
25 within this state and who is or has been engaged in the practice of such
26 profession in such partnership or a predecessor entity, or will engage
27 in the practice of such profession in the foreign limited liability
28 partnership within thirty days of the date of the effectiveness of the
29 notice provided for in subdivision (a) of section 121-1502 of this chap-
30 ter or each of whose partners is a professional, at least one of whom is
31 authorized by law to render a professional service within this state and
32 who is or has been engaged in the practice of such profession in such
33 partnership or a predecessor entity, or will engage in the practice of
34 such profession in the foreign limited liability partnership within
35 thirty days of the date of the effectiveness of the notice provided for
36 in subdivision (a) of section 121-1502 of this chapter, (ii) any part-
37 nership without limited partners operating under an agreement governed
38 by the laws of any jurisdiction, other than this state, authorized by,
39 or holding a license, certificate, registration or permit issued by the
40 licensing authority pursuant to, the education law to render a profes-
41 sional service within this state, which renders or intends to render
42 professional services within this state and which is denominated as a
43 registered limited liability partnership or limited liability partner-
44 ship under such laws, regardless of any difference between such laws and
45 the laws of this state, or (iii) a foreign related limited liability
46 partnership; except that all partners of a foreign limited liability
47 partnership that provides health, professional engineering, land survey-
48 ing, GEOLOGIC, architectural and/or landscape architectural services in
49 this state shall be licensed in this state.

50 "Professional partnership" means (1) a partnership without limited
51 partners each of whose partners is a professional authorized by law to
52 render a professional service within this state, (2) a partnership with-
53 out limited partners each of whose partners is a professional, at least
54 one of whom is authorized by law to render a professional service within
55 this state or (3) a partnership without limited partners authorized by,
56 or holding a license, certificate, registration or permit issued by the

1 licensing authority pursuant to the education law to render a profes-
2 sional service within this state; except that all partners of a profes-
3 sional partnership that provides medical services in this state must be
4 licensed pursuant to article 131 of the education law to practice medi-
5 cine in this state and all partners of a professional partnership that
6 provides dental services in this state must be licensed pursuant to
7 article 133 of the education law to practice dentistry in this state;
8 and further except that all partners of a professional partnership that
9 provides professional engineering, land surveying, GEOLOGIC, architec-
10 tural and/or landscape architectural services in this state must be
11 licensed pursuant to article 145, article 147 and/or article 148 of the
12 education law to practice one or more of such professions in this state.

13 S 26. Subdivision (q) of section 121-1500 of the partnership law, as
14 amended by chapter 554 of the laws of 2013, is amended to read as
15 follows:

16 (q) Each partner of a registered limited liability partnership formed
17 to provide medical services in this state must be licensed pursuant to
18 article 131 of the education law to practice medicine in this state and
19 each partner of a registered limited liability partnership formed to
20 provide dental services in this state must be licensed pursuant to arti-
21 cle 133 of the education law to practice dentistry in this state. Each
22 partner of a registered limited liability partnership formed to provide
23 veterinary services in this state must be licensed pursuant to article
24 135 of the education law to practice veterinary medicine in this state.
25 Each partner of a registered limited liability partnership formed to
26 provide professional engineering, land surveying, GEOLOGICAL SERVICES,
27 architectural and/or landscape architectural services in this state must
28 be licensed pursuant to article 145, article 147 and/or article 148 of
29 the education law to practice one or more of such professions in this
30 state. Each partner of a registered limited liability partnership formed
31 to provide licensed clinical social work services in this state must be
32 licensed pursuant to article 154 of the education law to practice clin-
33 ical social work in this state. Each partner of a registered limited
34 liability partnership formed to provide creative arts therapy services
35 in this state must be licensed pursuant to article 163 of the education
36 law to practice creative arts therapy in this state. Each partner of a
37 registered limited liability partnership formed to provide marriage and
38 family therapy services in this state must be licensed pursuant to arti-
39 cle 163 of the education law to practice marriage and family therapy in
40 this state. Each partner of a registered limited liability partnership
41 formed to provide mental health counseling services in this state must
42 be licensed pursuant to article 163 of the education law to practice
43 mental health counseling in this state. Each partner of a registered
44 limited liability partnership formed to provide psychoanalysis services
45 in this state must be licensed pursuant to article 163 of the education
46 law to practice psychoanalysis in this state. Each partner of a regis-
47 tered limited liability partnership formed to provide applied behavior
48 analysis service in this state must be licensed or certified pursuant to
49 article 167 of the education law to practice applied behavior analysis
50 in this state.

51 S 27. Subdivision (q) of section 121-1502 of the partnership law, as
52 amended by chapter 554 of the laws of 2013, is amended to read as
53 follows:

54 (q) Each partner of a foreign limited liability partnership which
55 provides medical services in this state must be licensed pursuant to
56 article 131 of the education law to practice medicine in the state and

1 each partner of a foreign limited liability partnership which provides
2 dental services in the state must be licensed pursuant to article 133 of
3 the education law to practice dentistry in this state. Each partner of a
4 foreign limited liability partnership which provides veterinary service
5 in the state shall be licensed pursuant to article 135 of the education
6 law to practice veterinary medicine in this state. Each partner of a
7 foreign limited liability partnership which provides professional engi-
8 neering, land surveying, GEOLOGICAL SERVICES, architectural and/or land-
9 scape architectural services in this state must be licensed pursuant to
10 article 145, article 147 and/or article 148 of the education law to
11 practice one or more of such professions. Each partner of a foreign
12 limited liability partnership which provides licensed clinical social
13 work services in this state must be licensed pursuant to article 154 of
14 the education law to practice licensed clinical social work in this
15 state. Each partner of a foreign limited liability partnership which
16 provides creative arts therapy services in this state must be licensed
17 pursuant to article 163 of the education law to practice creative arts
18 therapy in this state. Each partner of a foreign limited liability part-
19 nership which provides marriage and family therapy services in this
20 state must be licensed pursuant to article 163 of the education law to
21 practice marriage and family therapy in this state. Each partner of a
22 foreign limited liability partnership which provides mental health coun-
23 seling services in this state must be licensed pursuant to article 163
24 of the education law to practice mental health counseling in this state.
25 Each partner of a foreign limited liability partnership which provides
26 psychoanalysis services in this state must be licensed pursuant to arti-
27 cle 163 of the education law to practice psychoanalysis in this state.
28 Each partner of a foreign limited liability partnership which provides
29 applied behavior analysis services in this state must be licensed or
30 certified pursuant to article 167 of the education law to practice
31 applied behavior analysis in this state.

32 S 28. This act shall take effect two years after the date on which it
33 shall have become a law.