

2015-2016 Regular Sessions

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

(PREFILED)

January 7, 2015

IN SENATE -- Introduced by Sen. LAVALLE -- read twice and ordered printed, and when printed to be committed to the Committee on Local Government

IN ASSEMBLY -- Introduced by M. of A. THIELE -- read once and referred to the Committee on Local Governments

AN ACT to amend the general municipal law, in relation to requiring state and local agencies to establish a priority processing procedure for the review of construction permits which meet certain energy and environmental design standards

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

1 Section 1. The general municipal law is amended by adding a new  
2 section 859-c to read as follows:

3 S 859-C. BUILDING PERMITS, ENERGY AND ENVIRONMENTAL DESIGN STANDARDS;  
4 PRIORITY PROCESS. 1. FOR THE PURPOSES OF THIS SECTION, THE FOLLOWING  
5 TERMS SHALL HAVE THE FOLLOWING MEANINGS:

6 (A) "CONSTRUCTION PERMIT" SHALL MEAN A PERMIT OR ANY OTHER APPROVAL  
7 ISSUED BY A MUNICIPAL CORPORATION FOR ANY WORK NECESSARY OR INCIDENTAL  
8 TO THE ERECTION, DEMOLITION, ASSEMBLING, ALTERATION, INSTALLING OR  
9 EQUIPPING OF ANY BUILDING.

10 (B) "ENERGY AND ENVIRONMENTAL DESIGN STANDARDS" SHALL MEAN CERTIF-  
11 ICATION STANDARDS FOR GREEN BUILDINGS INCLUDING THE LEADERSHIP IN ENERGY  
12 AND ENVIRONMENTAL DESIGN (LEED), THE GREEN BUILDING INITIATIVE'S GREEN  
13 GLOBES RATING SYSTEM AND THE NATIONAL GREEN BUILDING STANDARDS AS  
14 APPROVED BY THE AMERICAN NATIONAL STANDARDS INSTITUTE OR SUBSTANTIALLY  
15 EQUIVALENT STANDARDS FOR CERTIFICATION USING A SIMILAR PROGRAM FOR GREEN  
16 BUILDINGS AS DETERMINED BY A MUNICIPAL CORPORATION.

17 (C) "APPLICANT" SHALL MEAN ANY PERMIT APPLICANT THAT IS NOT THE STATE  
18 GOVERNMENT, FEDERAL GOVERNMENT, OR MUNICIPAL CORPORATION.

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

1 (D) "AGENCY" SHALL MEAN ANY STATE OR MUNICIPAL CORPORATION, DEPART-  
2 MENT, BOARD, BUREAU, DIVISION, COMMISSION, COMMITTEE, PUBLIC AUTHORITY,  
3 PUBLIC CORPORATION, COUNCIL, OFFICE OR OTHER GOVERNMENTAL ENTITY.

4 2. EVERY AGENCY THAT ISSUES CONSTRUCTION PERMITS SHALL ESTABLISH A  
5 PROCEDURE FOR PRIORITY PROCESSING OF A PERMIT APPLICATION THAT MEETS  
6 ENERGY AND ENVIRONMENTAL DESIGN STANDARDS EQUAL OR BETTER TO THE LEED  
7 SILVER, ICC-700 SILVER OR TWO GREEN GLOBES RATING SYSTEM. THE ESTAB-  
8 LISHED PRIORITY PROCESSING PROCEDURE SHALL BE AT NO ADDITIONAL COST TO  
9 THE APPLICANT. SUCH PROCEDURE SHALL NOT IMPLY OR PROVIDE THAT ANY  
10 APPLICATION FOR A CONSTRUCTION PERMIT SHALL BE AUTOMATICALLY APPROVED.

11 3. EACH AGENCY SHALL ESTABLISH SUCH PRIORITY PROCESSING PROCEDURE ON  
12 OR BEFORE JANUARY FIRST, TWO THOUSAND SIXTEEN.

13 S 2. This act shall take effect immediately.