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

S. 505--A A. 278--A

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 -- recommitted to the Committee on Local Government in accordance with Senate Rule 6, sec. 8 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

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

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

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

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

(B) "ENERGY AND ENVIRONMENTAL DESIGN STANDARDS" SHALL MEAN CERTIFICATION STANDARDS FOR GREEN BUILDINGS INCLUDING THE LEADERSHIP IN ENERGY AND ENVIRONMENTAL DESIGN (LEED), THE GREEN BUILDING INITIATIVE'S GREEN GLOBES RATING SYSTEM AND THE NATIONAL GREEN BUILDING STANDARDS AS

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

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APPROVED BY THE AMERICAN NATIONAL STANDARDS INSTITUTE OR SUBSTANTIALLY EQUIVALENT STANDARDS FOR CERTIFICATION USING A SIMILAR PROGRAM FOR GREEN BUILDINGS AS DETERMINED BY A MUNICIPAL CORPORATION.

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

(D) "AGENCY" SHALL MEAN ANY STATE OR MUNICIPAL CORPORATION, DEPARTMENT, BOARD, BUREAU, DIVISION, COMMISSION, COMMITTEE, PUBLIC AUTHORITY, PUBLIC CORPORATION, COUNCIL, OFFICE OR OTHER GOVERNMENTAL ENTITY.

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

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

S 2. This act shall take effect immediately.