STATE OF NEW YORK

1646--A

2017-2018 Regular Sessions

IN SENATE

January 10, 2017

Introduced by Sens. CARLUCCI, MARCHIONE -- read twice and ordered printed, and when printed to be committed to the Committee on Commerce, Economic Development and Small Business -- recommitted to the Committee on Commerce, Economic Development and Small Business in accordance with Senate Rule 6, sec. 8 -- reported favorably from said committee and committed to the Committee on Finance -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the state administrative procedure act, in relation to electronic permit applications and electronic recordkeeping

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. The state administrative procedure act is amended by adding a new section 402 to read as follows:

§ 402. Electronic filing of applications for certain business permits. 1. Notwithstanding any provision of law to the contrary, a state agency may, by promulgation of regulations, permit an application for a business permit or other license subject to the provisions of this section to be filed with such agency, subscribed and affirmed by the applicant as true under penalty of perjury where statute otherwise requires that such signature be acknowledged, verified or sworn under oath.

2. Notwithstanding any provision of law to the contrary, a state agency may, by promulgation of regulations, permit any application for a business permit or other license subject to the provisions of this section to be submitted to such agency by electronic means, provided that any signature required thereon shall meet the requirements of subdivision three of section three hundred two of the state technology law, and the use of electronic records shall meet the requirements of subdivision one of section three hundred five of the state technology law.

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

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3. This section shall apply to applications for the issuance, modification or renewal of any permit, license, certificate, approval, registration, charter, or similar form of permission or authority required by law, or by state agency rules having the force and effect of law, which is required for a business undertaking, project or activity for an applicant, but shall not include bonds or other forms of security required to be submitted by applicants, any individual licenses for practicing a profession prescribed in title eight of the education law, filings under the uniform commercial code, or routine licenses and permits for individual privileges, including licenses for operating a motor vehicle.

§ 2. This act shall take effect immediately.