

# STATE OF NEW YORK

4460

2019-2020 Regular Sessions

## IN ASSEMBLY

February 4, 2019

Introduced by M. of A. HUNTER, LAWRENCE, PEOPLES-STOKES -- read once and referred to the Committee on Governmental Operations

AN ACT to amend the executive law and the energy law, in relation to requiring the updating of the state uniform fire prevention and building code and the state energy conservation construction code on the basis of update of certain international codes

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

1 Section 1. Subdivision 2 of section 377 of the executive law is renum-  
2 bered subdivision 3 and a new subdivision 2 is added to read as follows:

3 2. Each time a revised or updated edition of the International Build-  
4 ing Code, the International Fire Code, the International Residential  
5 Code, the International Plumbing Code, the International Mechanical  
6 Code, the International Fuel Gas Code, the International Existing Build-  
7 ing Code, the International Property Maintenance Code or the National  
8 Electrical Code is published, the council shall, within twelve months of  
9 such publication of a revised or updated edition, cause the uniform fire  
10 prevention and building code to be updated to reflect changes in any  
11 such revised or updated edition.

12 § 2. Section 11-101 of the energy law, as amended by chapter 516 of  
13 the laws of 1984, is amended to read as follows:

14 § 11-101. Purpose. In furtherance of the policy set forth in subdivi-  
15 sion two of section 3-101 of this chapter, the legislature hereby  
16 directs that a state energy conservation construction code be adopted to  
17 protect the health, safety and security of the people of the state and  
18 to assure a continuing supply of energy for future generations and that  
19 such code mandate that [~~economically~~] reasonable energy conservation  
20 techniques be used in the design and construction of all public and  
21 private buildings in the state.

22 § 3. Subdivision 2 of section 11-103 of the energy law, as amended by  
23 chapter 560 of the laws of 2010, is amended to read as follows:

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

LBD04864-01-9

1 2. The state fire prevention and building code council [~~is authorized,~~  
2 ~~from time to time as it deems appropriate and consistent with the~~  
3 ~~purposes of this article, to review and amend the code, or adopt a new~~  
4 ~~code, through rules and regulations provided that the code remains cost~~  
5 ~~effective with respect to building construction in the state. In deter-~~  
6 ~~mining whether the code remains cost effective, the code council shall~~  
7 ~~consider whether the cost of materials and their installation to meet~~  
8 ~~its standards would be equal to or less than the present value of energy~~  
9 ~~savings that could be expected over a ten year period in the building in~~  
10 ~~which such materials are installed. For residential buildings, the code~~  
11 ~~shall meet or exceed the then most recently published International~~  
12 ~~Energy Conservation Code, or achieve equivalent or greater energy~~  
13 ~~savings, and for commercial buildings, the code shall meet or exceed~~  
14 ~~ASHRAE 90.1-2007, or achieve equivalent or greater energy savings ]~~  
15 shall, within twelve months of the publication of each revised or  
16 updated edition of the International Energy Conservation Code or the  
17 ANSI/ASHRAE/IESNA Standard 90.1, cause the state energy conservation  
18 construction code to be updated to reflect changes in any such revised  
19 or updated edition.

20 § 4. This act shall take effect immediately.