STATE OF NEW YORK

1004

2021-2022 Regular Sessions

IN SENATE

(Prefiled)

January 6, 2021

Introduced by Sen. GAUGHRAN -- read twice and ordered printed, and when printed to be committed to the Committee on Housing, Construction and Community Development

AN ACT to amend the executive law, in relation to acceptance by a municipal building department of professional certification of compliance with the New York state uniform fire prevention and building code and the New York state energy conservation construction code

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

Section 1. Paragraphs h and i of subdivision 1 of section 381 of the executive law, as added by chapter 560 of the laws of 2010, are amended and a new paragraph j is added to read as follows:

h. minimum basic training and in-service training requirements for personnel charged with administration and enforcement of the state energy conservation construction code; [~~and~~]

i. standards and procedures for measuring the rate of compliance with the state energy conservation construction code, and provisions requiring that such rate of compliance be measured on an annual basis[~~.~~]*; and*

j. establish a program where a municipal department of buildings may accept construction documents required to be filed in relation to code compliance prior to issuance of a certificate of occupancy with less than full examination by the municipal department of buildings based on a professional certification of an application who is an architect or engineer registered with the New York state department of education and such applicant provides evidence of insurance coverage with required limits. Such program shall include a requirement that the municipal department of buildings shall audit such submissions on a random basis. For purposes of such program and the code, the acceptance of construction documents, in accordance with this program shall have the same force and effect as the approval of construction documents after

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

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full examination by a municipal department of buildings. Participation in such program shall be at the option of the municipality. The secretary shall promulgate any rules and regulations deemed necessary to carry into effect the provisions of this paragraph.

§ 2. This act shall take effect on the one hundred twentieth day after it shall have become a law.