

STATE OF NEW YORK

362--A

2021-2022 Regular Sessions

IN ASSEMBLY

(Prefiled)

January 6, 2021

Introduced by M. of A. ZEBROWSKI -- read once and referred to the Committee on Governmental Operations -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the executive law, in relation to penalties for code violations

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

1 Section 1. Subdivision 2 of section 382 of the executive law, as
2 amended by chapter 135 of the laws of 1997, is amended to read as
3 follows:

4 2. Any person, having been served, either personally or by registered
5 or certified mail, with an order to remedy any condition found to exist
6 in, on, or about any building in violation of the uniform fire
7 prevention and building code, who shall fail to comply with such order
8 within the time fixed by the regulations promulgated by the secretary
9 pursuant to subdivision one of section three hundred eighty-one of this
10 article, such time period to be stated in the order, and any owner,
11 builder, architect, tenant, contractor, subcontractor, construction
12 superintendent or their agents or any other person taking part or
13 assisting in the construction of any building who shall knowingly
14 violate any of the applicable provisions of the uniform code or any
15 lawful order of a local government, a county or the secretary made thereunder regarding standards for construction, maintenance, or fire
16 protection equipment and systems, shall be punishable by a fine of not
17 more than one thousand dollars per day of violation, or imprisonment not
18 exceeding one year, or both for the first one hundred eighty days, and
19 for the following one hundred eighty days shall be punishable by a fine
20 of no less than twenty-five dollars and not more than one thousand
21 dollars per day of violation or imprisonment not exceeding one year, or
22

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

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1 both and thereafter shall be punishable by a fine of no less than fifty
2 dollars and not more than one thousand dollars per day of violation or
3 imprisonment not exceeding one year, or both.

4 § 2. This act shall take effect on the one hundred twentieth day after
5 it shall have become a law. Effective immediately, the addition, amend-
6 ment and/or repeal of any rule or regulation necessary for the implemen-
7 tation of this act on its effective date are authorized to be made and
8 completed on or before such effective date.