STATE OF NEW YORK

6450

2021-2022 Regular Sessions

IN ASSEMBLY

March 17, 2021

Introduced by M. of A. STERN, THIELE, BROWN, GRIFFIN, DeSTEFANO, SMULLEN, BRABENEC -- Multi-Sponsored by -- M. of A. LEMONDES -- read once and referred to the Committee on Local Governments

AN ACT to amend the general municipal law, in relation to a program allowing the issuance of building permits based on certain professional certifications

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

Section 1. Section 125 of the general municipal law, as added by chapter 439 of the laws of 1998, is amended to read as follows:

§ 125. Issuance of building permits. **1.** No city, town or village shall issue a building permit without obtaining from the permit applicant either:

[~~1.~~] **(a)** proof duly subscribed that workers' compensation insurance and disability benefits coverage issued by an insurance carrier in a form satisfactory to the chair of the workers' compensation board as provided for in section fifty-seven of the workers' compensation law is effective; or

[~~2.~~] **(b)** an affidavit that such permit applicant has not engaged an employer or any employees as those terms are defined in section two of the workers' compensation law to perform work relating to such building permit.

2. (a) Notwithstanding any law, rule or regulation to the contrary a city, town or village may establish a program whereby a building permit may be issued based upon certification by a registered architect licensed to practice in the state of New York or a professional engineer licensed to practice in the state of New York that the intended work as set forth in the building permit application meets the requirements of the Uniform Fire Prevention and Building Code and is in compliance with all local laws and ordinances.

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

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(b) Such program shall require that persons certifying building, drainage, grading or landscape design plans shall have:

(i) been licensed or registered in New York state for at least three years;

(ii) complete an initial training course for new self-certification professionals and thereafter complete a training course at least once every six years; and

(iii) be in good standing with the licensing agency.

(c) Such program shall include a requirement for a random audit of applications for a building permit to ensure compliance.

(d) The provisions of this subdivision shall not apply to a city with a population of one million or more.

§ 2. This act shall take effect immediately.