

STATE OF NEW YORK

1003--A

2021-2022 Regular Sessions

IN SENATE

(Prefiled)

January 6, 2021

Introduced by Sens. GAUGHRAN, BROOKS, HARCKHAM, KAMINSKY, THOMAS -- read twice and ordered printed, and when printed to be committed to the Committee on Local Government -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the general municipal law, in relation to building permits; and providing for the repeal of such provisions upon expiration thereof

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

1 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:

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

5 ~~[1-]~~ (a) proof duly subscribed that workers' compensation insurance
6 and disability benefits coverage issued by an insurance carrier in a
7 form satisfactory to the chair of the workers' compensation board as
8 provided for in section fifty-seven of the workers' compensation law is
9 effective; or

10 ~~[2-]~~ (b) an affidavit that such permit applicant has not engaged an
11 employer or any employees as those terms are defined in section two of
12 the workers' compensation law to perform work relating to such building
13 permit.

14 2. Notwithstanding any law, rule or regulation to the contrary a city,
15 town or village in a county with a population of one million or more,
16 not wholly contained within a city, may establish a program whereby a
17 building permit may be issued based upon a certification by a registered
18 architect licensed to practice in the state of New York or a profes-
19 sional engineer licensed to practice in the state of New York that the
20 intended work as set forth in the building permit application meets the
21

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

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1 requirements of the Uniform Fire Prevention and Building Code, excluding
2 fire related inspections. Such program shall include a requirement for
3 a random audit of applications for a building permit to ensure compli-
4 ance. Provided, however, a city, town, or village establishing a
5 program pursuant to this section shall be prohibited from reducing or
6 eliminating the position of any employee involved with the building
7 permit application process during the effectiveness of this section.

8 § 2. This act shall take effect immediately and shall expire and be
9 deemed repealed October 1, 2024.