STATE OF NEW YORK

2884--A

Cal. No. 199

2021-2022 Regular Sessions

IN SENATE

January 26, 2021

Introduced by Sens. MAY, BIAGGI, BROOKS, KAVANAGH, RIVERA, SKOUFIS -- read twice and ordered printed, and when printed to be committed to the Committee on Housing, Construction and Community Development -- reported favorably from said committee, ordered to first and second report, ordered to a third reading, passed by Senate and delivered to the Assembly, recalled, vote reconsidered, restored to third reading, amended and ordered reprinted, retaining its place in the order of third reading

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:

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

2. Any person, having been served, either personally or by registered or certified mail, with an order to remedy any condition found to exist in, on, or about any building in violation of the uniform fire prevention and building code, who shall fail to comply with such order within the time fixed by the regulations promulgated by the secretary pursuant to subdivision one of section three hundred eighty-one of this article, such time period to be stated in the order, and any owner, builder, architect, tenant, contractor, subcontractor, construction superintendent or their agents or any other person taking part or assisting in the construction of any building who shall knowingly violate any of the applicable provisions of the uniform code or any lawful order of a local government, a county or the secretary made thereunder regarding standards for construction, maintenance, or fire protection equipment and systems, shall be punishable by a fine of not more than one thousand dollars per day of violation, or imprisonment not exceeding one year, or both **for the first one hundred eighty days, and**

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

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for the following one hundred eighty days shall be punishable by a fine of no less than twenty-five dollars and not more than one thousand dollars per day of violation or imprisonment not exceeding one year, or both and thereafter shall be punishable by a fine of no less than fifty dollars and not more than one thousand dollars per day of violation or imprisonment not exceeding one year, or both.

§ 2. This act shall take effect on the one hundred twentieth day after it shall have become a law. Effective immediately, the addition, amendment and/or repeal of any rule or regulation necessary for the implementation of this act on its effective date are authorized to be made and completed on or before such effective date.