

STATE OF NEW YORK

6783

2021-2022 Regular Sessions

IN SENATE

May 17, 2021

Introduced by Sen. COONEY -- read twice and ordered printed, and when printed to be committed to the Committee on Higher Education

AN ACT to amend the education law, in relation to mandatory continuing education for architects

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

1 Section 1. Paragraph (b) of subdivision 1 of section 7308 of the
2 education law, as added by chapter 521 of the laws of 1999, is amended
3 to read as follows:

4 (b) [~~Architects shall be exempt from the mandatory continuing educa-~~
5 ~~tion requirement for the triennial registration period during which they~~
6 ~~are first licensed.~~] In accord with the intent of this section, an
7 adjustment and/or exemption to the mandatory continuing education
8 requirement may be granted by the department for reasons of health
9 certified by an appropriate health care professional, for extended
10 active duty with the armed forces of the United States, or for other
11 good cause acceptable to the department which may prevent compliance.

12 § 2. Subdivision 2 of section 7308 of the education law, as amended by
13 chapter 683 of the laws of 2005, is amended to read as follows:

14 2. During each triennial registration period an applicant for regis-
15 tration shall complete a minimum of thirty-six hours of acceptable
16 continuing education, as specified in subdivision four of this section,
17 provided that a minimum of twenty-four hours of such continuing educa-
18 tion shall be in the areas of health, safety and welfare. [~~Up to one~~
19 ~~half of the total hours of continuing education may consist of non-~~
20 ~~course activities.~~] Any architect whose first registration date
21 following the effective date of this section occurs less than three
22 years from such effective date, but on or after January first, two thou-
23 sand one, shall complete continuing education hours on a prorated basis
24 at the rate of one hour per month for the period beginning January
25 first, two thousand up to the first registration date thereafter. A

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

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1 licensee who has not satisfied the mandatory continuing education
2 requirements shall not be issued a triennial registration certificate by
3 the department and shall not practice unless and until a conditional
4 registration certificate is issued as provided for in subdivision three
5 of this section. With the exception of continuing education hours taken
6 during the registration period immediately preceding the effective date
7 of this section, [~~continuing education hours taken during one triennium~~
8 ~~may not be transferred to a subsequent triennium~~] no more than six
9 continuing education hours taken during one triennium may be transferred
10 to a subsequent triennium.

11 § 3. Subdivision 4 of section 7308 of the education law, as amended by
12 chapter 706 of the laws of 2004, is amended to read as follows:

13 4. As used in subdivision two of this section, "acceptable continuing
14 education" shall mean courses of learning and educational activities
15 [~~which~~] in architecture, engineering, interior design, land surveying,
16 landscape architecture and geology that may contribute to professional
17 practice in architecture and which meet the standards prescribed by
18 regulations of the commissioner. Completing courses of learning and
19 educational activities that fall within the scope of practice of another
20 licensed profession does not authorize the licensed architect to
21 lawfully practice a profession that they are not authorized to practice
22 as defined in section seventy-three hundred one of this article. The
23 department may, in its discretion and as needed to contribute to the
24 health and welfare of the public, require the completion of continuing
25 education courses in specific subjects.

26 § 4. This act shall take effect eighteen months after it shall have
27 become a law. Effective immediately, the addition, amendment and/or
28 repeal of any rule or regulation necessary for the implementation of
29 this act on its effective date are authorized to be made and completed
30 on or before such effective date.