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:

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

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

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

2. During each triennial registration period an applicant for registration shall complete a minimum of thirty-six hours of acceptable continuing education, as specified in subdivision four of this section, provided that a minimum of twenty-four hours of such continuing education shall be in the areas of health, safety and welfare. [~~Up to one-half of the total hours of continuing education may consist of non-course activities.~~] Any architect whose first registration date following the effective date of this section occurs less than three years from such effective date, but on or after January first, two thousand one, shall complete continuing education hours on a prorated basis at the rate of one hour per month for the period beginning January 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.

LBD11439-01-1

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

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

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

§ 4. This act shall take effect eighteen months 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.