

STATE OF NEW YORK

9626

IN SENATE

May 16, 2024

Introduced by Sen. BRESLIN -- read twice and ordered printed, and when printed to be committed to the Committee on Consumer Protection

AN ACT to amend the general business law, in relation to the definition of construction contracts

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

1 Section 1. Subdivision 1 of section 756 of the general business law,
2 as amended by chapter 417 of the laws of 2009, is amended to read as
3 follows:
4 1. "Construction contract" means a written or oral agreement for the
5 construction, reconstruction, alteration, maintenance, moving or demoli-
6 tion of any building, structure or improvement, or relating to the exca-
7 vation of or other development or improvement to land, and where the
8 aggregate cost of the construction project including all labor,
9 services, materials and equipment to be furnished, equals or exceeds one
10 hundred fifty thousand dollars. For the purposes of this article a
11 construction contract shall not include any such contract made and
12 awarded by the state, any public department, any public benefit corpo-
13 ration, any public corporation or official thereof, or a municipal
14 corporation or official thereof for construction, reconstruction, alter-
15 ation, repair, maintenance, moving or demolition of any public works
16 project nor any contract with a contractor or subcontractor which is
17 part of such project; or any such contract the purpose of which is the
18 construction, reconstruction, alteration, repair, maintenance, moving or
19 demolition of an individual one, two or three family residential dwell-
20 ing or a residential tract development of one hundred or less one or two
21 family dwellings, or any residential construction project where the
22 aggregate size of such project is four thousand five hundred square feet
23 or less, or any residential project [~~of fewer than seventy-five units
24 which receives financial assistance from the federal government, the
25 state or a municipal entity designed for households earning an average
26 of one hundred twenty-five percent of the housing and urban development
27 agency area median income~~] that includes or will include residential
28 dwelling units that must be affordable to residents at a specific income

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

LBD15695-01-4

1 level pursuant to a statute, regulation, restrictive declaration or
2 pursuant to a regulatory agreement with a federal, state, or local
3 government entity.

4 § 2. This act shall take effect immediately.