STATE OF NEW YORK

9290

IN ASSEMBLY

February 23, 2024

Introduced by M. of A. KELLES -- read once and referred to the Committee on Governmental Operations

AN ACT to amend the executive law, in relation to establishing standards for the reuse of deconstructed building materials

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

Section 1. Paragraph c of subdivision 2 of section 377 of the executive law, as added by chapter 707 of the laws of 1981, is amended to read as follows:

c. permit to the fullest extent feasible, use of modern technical methods, devices and improvements which tend to reduce the cost of construction**, including the reuse of deconstructed building materials,** without substantially affecting reasonable requirements for the health, safety and security of the occupants or users of buildings;

§ 2. Section 378 of the executive law is amended by adding a new subdivision 19-a to read as follows:

19-a. a. To support the goal of zero on-site greenhouse gas emissions and help achieve the state's clear energy and climate agenda, including but not limited to greenhouse gas reduction requirements set forth within chapter one hundred six of the laws of two thousand nineteen, also known as the New York state climate leadership and community protection act, the uniform code shall set standards for the use of solid-sawn lumber in construction and for the grading of used solid-sawn lumber.

b. The uniform code shall provide that used solid-sawn lumber in good condition and devoid of areas of decay not meeting the requirements of sections 2303.1.1, 2303.1.1.1 or 2303.1.1.2 of the 2020 building code of New York state shall comply with the following:

(i) dimensional lumber that has a nominal thickness of two inches with a nominal width of six inches, or less, shall be assumed to be spruce-pine-fir stud grade and shall have structural properties assigned in accordance with current adopted standards; and

(ii) all other dimensional lumber shall be assumed to be hem-fir No. 2 grade and shall have structural properties assigned in accordance with current adopted standards.

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

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§ 3. Section 376 of the executive law is amended by adding a new subdivision 7 to read as follows:

7. To develop a program for grading reclaimed wood for structural purposes. The program shall be developed in consultation with industry stakeholders and shall include standards for determining the structural integrity of reclaimed wood. The program shall be updated as necessary to reflect advances in technology and best practices.

§ 4. This act shall take effect immediately.