STATE OF NEW YORK

622

2023-2024 Regular Sessions

IN SENATE

January 5, 2023

Introduced by Sen. KAVANAGH -- read twice and ordered printed, and when printed to be committed to the Committee on Housing, Construction and Community Development

AN ACT to amend the executive law, in relation to application of the state uniform fire prevention and building code and relevant local building and fire regulations to certain premises

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

Section 1. Section 383 of the executive law is amended by adding a new subdivision 5 to read as follows:

5. Notwithstanding any provision of law to the contrary, the building and fire regulations generally applicable in any village, town, city, or county within the state shall apply to all buildings and structures owned by or in which space is leased by state agencies and covered authorities, as such terms are defined in section two-a of the state finance law, in such village, town, city, or county irrespective of when such buildings or structures were built or put into service. For the purpose of this subdivision, the building and fire regulations generally applicable shall mean the relevant local building and fire regulations enacted or adopted by a local government that are in effect pursuant to paragraph c of subdivision one of this section or section three hundred seventy-nine of this article or, where no such local building and fire regulations are in effect, the code. Existing buildings and structures constructed before the effective date of this subdivision shall be subject to the building and fire regulations generally applicable pursuant to a staged plan developed by the office of general services, which may provide for compliance over a period of not more than five years, or if the office of general services shall determine that there are reasons requiring delay, not more than ten years, unless such building or structure is altered, in which case the building and fire regulations generally applicable shall immediately apply to all alterations to such

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

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building or structure. Notwithstanding the foregoing provisions of this subdivision, the legislature may exempt a specific building or structure, which shall be identified by its legal description and street address, if applicable, from any building and fire regulations that would otherwise apply under this subdivision.

§ 2. This act shall take effect on the one hundred eightieth day after it shall have become a law.