

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:

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

3 5. Notwithstanding any provision of law to the contrary, the building
4 and fire regulations generally applicable in any village, town, city, or
5 county within the state shall apply to all buildings and structures
6 owned by or in which space is leased by state agencies and covered
7 authorities, as such terms are defined in section two-a of the state
8 finance law, in such village, town, city, or county irrespective of when
9 such buildings or structures were built or put into service. For the
10 purpose of this subdivision, the building and fire regulations generally
11 applicable shall mean the relevant local building and fire regulations
12 enacted or adopted by a local government that are in effect pursuant to
13 paragraph c of subdivision one of this section or section three hundred
14 seventy-nine of this article or, where no such local building and fire
15 regulations are in effect, the code. Existing buildings and structures
16 constructed before the effective date of this subdivision shall be
17 subject to the building and fire regulations generally applicable pursu-
18 ant to a staged plan developed by the office of general services, which
19 may provide for compliance over a period of not more than five years, or
20 if the office of general services shall determine that there are reasons
21 requiring delay, not more than ten years, unless such building or struc-
22 ture is altered, in which case the building and fire regulations gener-
23 ally 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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1 building or structure. Notwithstanding the foregoing provisions of this
2 subdivision, the legislature may exempt a specific building or struc-
3 ture, which shall be identified by its legal description and street
4 address, if applicable, from any building and fire regulations that
5 would otherwise apply under this subdivision.

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