STATE OF NEW YORK

11280

IN ASSEMBLY

May 5, 2026

Introduced by COMMITTEE ON RULES -- (at request of M. of A. Pirozzolo) -- read once and referred to the Committee on Economic Development

AN ACT to amend the general business law, in relation to protecting small businesses and commercial property owners from local mandates requiring the replacement of certain storefront security gates or grilles

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

Section 1. The general business law is amended by adding a new section 399-ww to read as follows:

§ 399-ww. Storefront security gates and grilles. 1. For the purposes of this section:

(a) "Existing storefront security gate or grille" shall mean a storefront security gate or grille installed prior to July first, two thousand twenty-six.

(b) "Local government" shall mean any county, city, town, village, or any agency, department, board, bureau, commission, office, or other entity thereof.

(c) "Storefront security gate or grille" shall mean any roll down gate, roll down grille, security grille, metal gate, or similar protective barrier installed at or near the exterior entrance, window, or storefront of a building or premises used in whole or in part for business, professional, commercial, retail, or mercantile purposes.

2. Notwithstanding any inconsistent provision of any local law, ordinance, rule, regulation, building code, construction code, administrative code, or policy, no local government shall require the owner or operator of a business, or the owner of real property used in whole or in part for business, professional, commercial, retail, or mercantile purposes, to remove, replace, alter, modify, or discontinue the use of an existing storefront security gate or grille solely on the basis that such gate or grille does not satisfy a required percentage of transparency, openness, visibility, or visual access from a sidewalk, street, or other public place.

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

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3. No local government shall impose a civil penalty, fine, summons, violation, permit condition, certificate of correction requirement, or other enforcement action against any person or entity for failure to remove, replace, alter, modify, or discontinue the use of an existing storefront security gate or grille where such enforcement is based solely on a requirement described in subdivision two of this section.

4. Nothing in this section shall be construed to prohibit a local government from enforcing laws, rules, regulations, or codes relating to fire safety, emergency egress, structural safety, accessibility, electrical safety, landmark preservation, or unsafe conditions, provided that such enforcement is not based solely on the transparency, openness, visibility, or visual access percentage of an existing storefront security gate or grille.

5. Any local law, ordinance, rule, regulation, building code, construction code, administrative code, or policy inconsistent with this section shall be preempted and superseded to the extent of such inconsistency.

§ 2. This act shall take effect immediately.