STATE OF NEW YORK

1567

2025-2026 Regular Sessions

IN ASSEMBLY

January 10, 2025

Introduced by M. of A. ROSENTHAL -- read once and referred to the Committee on Economic Development

AN ACT to amend the general business law, in relation to imposing penalties on developers who fraudulently use architect seals

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 392-k to read as follows:

§ 392-k. Fraudulent use of an architectural seal. 1. No developer may use or display the seal of an architect or landscape architect licensed in this state on the developer's plans unless such architect or landscape architect has overseen and approved the development and creation of the plans.

2. a. A developer that violates the provisions of this section shall be liable for a fine of three hundred thousand dollars per violation; provided, however, that if the violation involved plans for a project at which a person suffered serious injury or death as a result of a defect in the design of such plans, the developer shall be liable for a fine of five hundred thousand dollars per violation.

b. A developer that violates the provisions of this section shall be prohibited from being awarded any state or municipal contract and shall be ineligible to claim any state or municipal tax benefits or credit otherwise available to a developer.

3. Whenever there shall be a violation of this section, the attorney general, in the name of the people of the state of New York, or a city corporation counsel on behalf of the locality, may bring an action in the supreme court or federal district court to enjoin and restrain such violations and to obtain restitution and damages.

4. All moneys collected from fines imposed under this section shall be deposited to the credit of the general fund.

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

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

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