

STATE OF NEW YORK

2571--A

2025-2026 Regular Sessions

IN ASSEMBLY

January 17, 2025

Introduced by M. of A. McDONALD, BURDICK, SANTABARBARA, JENSEN, BRABENEK, EACHUS, STIRPE, McMAHON, JACOBSON, REYES, SAYEGH, BERGER, SHIMSKY, STECK, K. BROWN, KASSAY -- Multi-Sponsored by -- M. of A. LEVENBERG -- read once and referred to the Committee on Higher Education -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the education law, in relation to the practice of professional geology

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

1 Section 1. Subdivision 6 of section 7209 of the education law, as
2 amended by chapter 62 of the laws of 1989, is amended and a new subdivi-
3 sion 10 is added to read as follows:
4 6. It shall be lawful for a corporation organized and existing under
5 the laws of the state of New York which on the fifteenth day of April,
6 nineteen hundred thirty-five and continuously thereafter, was lawfully
7 practicing engineering or land surveying in New York state, to continue
8 such practice provided that the chief executive officer shall be a
9 professional engineer licensed under this article, if practicing engi-
10 neering, or a land surveyor licensed under this article, if practicing
11 land surveying, and provided further that the person or persons carrying
12 on the actual practice of engineering or surveying on behalf of, or
13 designated as "engineer" or "surveyor", with or without qualifying or
14 characterizing word, by such corporation shall be authorized to practice
15 engineering or land surveying as provided in this article. Such corpo-
16 ration shall also be authorized to practice geology provided that such
17 corporation's corporate purposes include the practice of professional
18 geology pursuant to subdivision ten of this section. It shall be lawful
19 for a corporation which, on account of or as a result of requirements,
20 restrictions or provisions of federal law, was organized subsequent to
21 April fifteenth, nineteen hundred thirty-five for the purpose of taking

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

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1 over an existing engineering organization established prior to such time
2 and which has taken over such organization and continued its engineering
3 activities, provided that the chief executive officer of such corpo-
4 ration shall be a professional engineer licensed under this article and
5 provided further, that the person or persons carrying on the actual
6 practice of engineering on behalf of, or designated as "engineer", with
7 or without qualifying or characterizing word, by such corporation, shall
8 be authorized to practice engineering as provided in this article. No
9 such corporation shall change its name or sell its franchise or transfer
10 its corporate rights, directly or indirectly to any person, firm or
11 corporation without the consent of the department. Each such corporation
12 shall obtain a triennial registration on payment of a fee of fifty
13 dollars.

14 10. Prior to December thirty-first, two thousand twenty-eight, the
15 department and the department of state shall allow a business corpo-
16 ration as described in subdivision six of this section to amend its
17 certificate of incorporation so that its corporate purposes include the
18 practice of professional geology. The certificate of amendment shall
19 have attached thereto a certificate or certificates issued by the
20 licensing authority certifying that at least one director or officer of
21 the business corporation is a professional geologist licensed under this
22 article. Notwithstanding any provision of law to the contrary, such
23 business corporation shall be required to comply with all applicable
24 laws, rules, or regulations relating to the practice of professional
25 geology under this title.

26 § 2. Subdivisions 2 and 3 of section 7210 of the education law, as
27 amended by chapter 483 of the laws of 2001, are amended to read as
28 follows:

29 2. Upon application a certificate of authorization shall be issued by
30 the department to all individuals, corporations, limited liability
31 companies, limited liability partnerships, partnerships and joint enter-
32 prises specified in subdivision one of this section and which are
33 authorized to provide professional engineering [~~or~~], land surveying or
34 professional geology services and pay the appropriate fee.

35 3. A "certificate of authorization" shall authorize such individual,
36 corporation, limited liability company, limited liability partnership,
37 partnership or joint enterprise to provide professional engineering
38 [~~or~~], land surveying or professional geology services for three years
39 from the date of issuance subject to, as otherwise prescribed by law,
40 the supervision of the regents of the university of the state of New
41 York including the power to discipline and impose penalties in the same
42 manner and to the same extent as is provided with respect to individuals
43 and their licenses and registration pursuant to this title.

44 § 3. This act shall take effect immediately.