

STATE OF NEW YORK

3126

2025-2026 Regular Sessions

IN ASSEMBLY

January 23, 2025

Introduced by M. of A. LUNSFORD -- read once and referred to the Committee on Governmental Operations

AN ACT to amend the executive law, in relation to requiring that when a complaint is made to local code enforcement of a violation of the uniform fire prevention and building code which results in the issuance of a compliance order, the complainant shall also be provided a copy of such order

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

1 Section 1. Paragraphs h and i of subdivision 1 of section 381 of the
2 executive law, as added by chapter 560 of the laws of 2010, are amended
3 and a new paragraph j is added to read as follows:

4 h. minimum basic training and in-service training requirements for
5 personnel charged with administration and enforcement of the state energy
6 conservation construction code; [~~and~~]

7 i. standards and procedures for measuring the rate of compliance with
8 the state energy conservation construction code, and provisions requiring
9 that such rate of compliance be measured on an annual basis[~~-~~];

10 j. in the event a complaint is made to a local government or the
11 secretary which results in the issuance of an order in accordance with
12 19 NYCRR 1202.5 to remedy any condition found to exist in, on, or about
13 any building in violation of the uniform fire prevention and building
14 code, providing of such order in person or by registered or certified
15 mail to the complainant who initially reported such violation.

16 § 2. Paragraphs i and j of subdivision 1 of section 381 of the executive
17 law, paragraph i as amended and paragraph j as added by section 3
18 of part T of chapter 57 of the laws of 2023, are amended and a new paragraph
19 k is added to read as follows:

20 i. standards and procedures for measuring the rate of compliance with
21 the state energy conservation construction code, and provisions requiring
22 that such rate of compliance be measured on an annual basis; [~~and~~]

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

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1 j. procedures requiring the documentation of compliance with regu-
2 lations adopted pursuant to section thirteen hundred seventy-seven of
3 the public health law as a condition to issuance of a certificate of
4 occupancy or certificate of compliance following a periodic fire safety
5 and property maintenance inspection for multiple dwellings[-];

6 k. in the event a complaint is made to a local government or the
7 secretary which results in the issuance of an order in accordance with
8 19 NYCRR 1202.5 to remedy any condition found to exist in, on, or about
9 any building in violation of the uniform fire prevention and building
10 code, providing of such order in person or by registered or certified
11 mail to the complainant who initially reported such violation.

12 § 3. Subdivision 1 of section 382 of the executive law, as added by
13 chapter 707 of the laws of 1981, is amended to read as follows:

14 1. In addition to and not in limitation of any power otherwise granted
15 by law, every local government and its authorized agents shall have the
16 power to order in writing the remedying of any condition found to exist
17 in, on or about any building in violation of the uniform fire prevention
18 and building code and to issue appearance tickets for violations of the
19 uniform code. A copy of an order served pursuant to this subdivision or
20 19 NYCRR 1202.5 shall also be provided to a complainant in accordance
21 with the minimum rules and regulations established by the secretary
22 pursuant to paragraph k of subdivision one of section three hundred
23 eighty-one of this article, if such order was issued as a result of a
24 complaint made by an individual.

25 § 4. This act shall take effect immediately; provided, however, that
26 section two of this act shall take effect on the same date and in the
27 same manner as section 3 of part T of chapter 57 of the laws of 2023,
28 takes effect.