

# STATE OF NEW YORK

3180--A

2025-2026 Regular Sessions

## IN ASSEMBLY

January 23, 2025

Introduced by M. of A. KELLES, LEVENBERG, SIMON, COLTON, PAULIN, SEAWRIGHT, K. BROWN, SIMONE, STECK, BORES, STERN, LUNSFORD, ROZIC, BARRETT, STIRPE, BURDICK, OTIS, ROSENTHAL, RAJKUMAR, LUPARDO, McMAHON, DINOWITZ, SAYEGH, RAGA, HUNTER, JACOBSON, SHRESTHA, R. CARROLL, SLATER, FORREST, WOERNER, BICHOTTE HERMELYN, WALKER, CONRAD, GANDOLFO, JENSEN, MITAYNES, BRONSON, DeSTEFANO, RA, LAVINE, PHEFFER AMATO, TAPIA, SMITH -- read once and referred to the Committee on Governmental Operations -- recommitted to the Committee on Governmental Operations in accordance with Assembly Rule 3, sec. 2 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the public buildings law, in relation to directing the commissioner of general services to incorporate practices and strategies to reduce bird fatality resulting from collisions with certain state-owned buildings, and for other purposes

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

1 Section 1. Short title. This act shall be known and may be cited as  
2 the "bird safe buildings act".

3 § 2. The public buildings law is amended by adding a new section 148  
4 to read as follows:

5 § 148. Use of bird-safe features, practices, and strategies in state-  
6 owned buildings. 1. As used in this section:

7 (a) "state agency" means any state department, office, board, bureau,  
8 commission, agency, or any public authority or public benefit corpo-  
9 ration at least one of whose members is appointed by the governor;

10 (b) "state-owned building" means any building owned by a state agency  
11 used for official state business; and

12 (c) "state-leased building" means any building or portion of any  
13 building leased by a state agency for office, departmental, or residen-  
14 tial occupancy.

15 2. The commissioner of general services shall incorporate features,  
16 practices, and strategies to reduce bird fatality resulting from colli-  
17 sions with state-owned buildings and, where practicable, state-leased

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

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1 buildings. Such features, practices and strategies shall be incorpo-  
2 rated for each building:

3 (a) constructed;

4 (b) acquired; or

5 (c) of which more than fifty percent of the facade is substantially  
6 altered, as determined by the commissioner.

7 3. The commissioner, in consultation with the department of environ-  
8 mental conservation, shall develop a design guide to carry out the  
9 provisions of subdivision two of this section that includes the follow-  
10 ing:

11 (a) features for reducing bird fatality resulting from collisions with  
12 state-owned buildings and, where practicable, state-leased buildings,  
13 throughout all construction phases, taking into account the number of  
14 each such bird fatality that occurs at different types of state-owned  
15 buildings and, where practicable, state-leased buildings;

16 (b) methods and strategies for reducing bird fatality resulting from  
17 collisions with state-owned buildings and, where practicable, state-  
18 leased buildings, during the operation and maintenance of such build-  
19 ings;

20 (c) best practices for reducing bird fatality resulting from colli-  
21 sions with state-owned buildings and, where practicable, state-leased  
22 buildings, including but not limited to:

23 (i) eliminating non-essential lighting during spring and fall  
24 migration;

25 (ii) use of bird-safe film or other after-market products designed to  
26 reduce bird collisions;

27 (iii) architectural or design elements that reduce the risk of colli-  
28 sions;

29 (iv) use of bird-friendly glass in new construction or renovations  
30 that require substantial alterations; and

31 (v) placement of landscaping features and green roofs; and

32 (d) information on how to participate in citizen science efforts that  
33 document bird collisions in New York state.

34 4. To carry out the provisions of paragraph (c) of subdivision three  
35 of this section, the commissioner shall identify best practices for  
36 reducing bird fatality resulting from collisions with state-owned build-  
37 ings and, where practicable, state-leased buildings, including best  
38 practices recommended by:

39 (a) state, federal, and municipal agencies with expertise in bird  
40 conservation;

41 (b) nongovernmental organizations with expertise in bird conservation;  
42 and

43 (c) representatives of green building certification systems.

44 5. The commissioner shall disseminate the design guide developed  
45 pursuant to subdivision three of this section to all state agencies with  
46 independent leasing authority from the commissioner.

47 6. The commissioner shall, every five years, update the design guide  
48 developed pursuant to subdivision three of this section with respect to  
49 the priorities of the commissioner for reducing bird fatality resulting  
50 from collisions with state-owned buildings and, where practicable,  
51 state-leased buildings.

52 7. This section shall not apply to any building or site listed, or  
53 eligible for listing, on the National Register of Historic Places.

54 § 3. This act shall take effect immediately.