

# STATE OF NEW YORK

10123

## IN SENATE

April 30, 2026

Introduced by Sens. BOTTCHEER, JACKSON -- read twice and ordered printed,  
and when printed to be committed to the Committee on Housing,  
Construction and Community Development

AN ACT to amend the multiple dwelling law, in relation to prohibiting  
the issuance of a permit for the construction of a new multiple dwell-  
ing unless the multiple dwelling contains the minimum number of dwell-  
ing units required for the lot

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

1 Section 1. Section 300 of the multiple dwelling law is amended by  
2 adding a new subdivision 9 to read as follows:

3 9. The department shall not issue a permit for the construction of a  
4 new multiple dwelling unless the multiple dwelling contains the minimum  
5 number of dwelling units required for the lot or lots on which the  
6 multiple dwelling will be constructed. The minimum number of dwelling  
7 units required shall be the lesser of:

8 a. the total number of dwelling units in all buildings that existed on  
9 the lot or lots prior to any such building's demolition for the  
10 construction of the new multiple dwelling, including any units that had  
11 been a dwelling unit at any time but were converted to non-residential  
12 use; or

13 b. the maximum number of dwelling units that would be permitted by  
14 relevant local zoning and building codes.

15 § 2. This act shall take effect immediately and shall apply to any  
16 applications for permits filed or pending on or after such effective  
17 date.

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

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