

STATE OF NEW YORK

3819--B

Cal. No. 328

2025-2026 Regular Sessions

IN SENATE

January 30, 2025

Introduced by Sens. RIVERA, FERNANDEZ, HARCKHAM, JACKSON, SEPULVEDA -- read twice and ordered printed, and when printed to be committed to the Committee on Housing, Construction and Community Development -- reported favorably from said committee, ordered to first and second report, ordered to a third reading, amended and ordered reprinted, retaining its place in the order of third reading -- recommitted to the Committee on Housing, Construction and Community Development in accordance with Senate Rule 6, sec. 8 -- reported favorably from said committee, ordered to first and second report, ordered to a third reading, passed by Senate and delivered to the Assembly, recalled, vote reconsidered, restored to third reading, amended and ordered reprinted, retaining its place in the order of third reading

AN ACT to amend the executive law, in relation to imposing certain penalties related to violations of building and fire code standards within fourteen days and increasing certain fines for violations of housing standards

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

1 Section 1. Subdivision 2 of section 382 of the executive law, as
2 amended by chapter 571 of the laws of 2021, is amended and a new subdivi-
3 sion 5 is added to read as follows:
4 2. a. Any person, having been served, either personally or by regis-
5 tered or certified mail, with an order to remedy any condition found to
6 exist in, on, or about any building in violation of the uniform fire
7 prevention and building code, who shall fail to comply with such order
8 within the time fixed by the regulations promulgated by the secretary
9 pursuant to subdivision one of section three hundred eighty-one of this
10 article, such time period to be stated in the order, and any owner,
11 builder, architect, tenant, contractor, subcontractor, construction
12 superintendent or their agents or any other person taking part or
13 assisting in the construction of any building who shall knowingly

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

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1 violate any of the applicable provisions of the uniform code or any
2 lawful order of a local government, a county or the secretary made there-
3 under regarding standards for construction, maintenance, or fire
4 protection equipment and systems, shall be punishable by a fine of not
5 ~~[more than one thousand dollars per day of violation, or imprisonment~~
6 ~~not exceeding one year, or both for the first one hundred eighty days,~~
7 ~~and for the following one hundred eighty days shall be punishable by a~~
8 ~~fine of no less than twenty five dollars and not more than one thousand~~
9 ~~dollars per day of violation or imprisonment not exceeding one year, or~~
10 ~~both and thereafter shall be punishable by a fine of no less than fifty~~
11 ~~dollars and not more than one thousand dollars per day of violation or~~
12 ~~imprisonment not exceeding one year, or both]~~ less than twenty-five
13 dollars nor more than one hundred fifty dollars for each non-hazardous
14 violation in a multiple dwelling containing ten or fewer dwelling units.

15 b. For each hazardous violation occurring in a multiple dwelling
16 containing ten or fewer dwelling units, a penalty of not less than fifty
17 dollars nor more than five hundred dollars per day shall be imposed from
18 the date set for correction in the notice of violation until the
19 violation is corrected.

20 c. For each immediately hazardous violation occurring in a multiple
21 dwelling containing ten or fewer dwelling units, a penalty of not less
22 than two hundred fifty dollars per day shall be imposed from the date
23 set for correction in the notice of violation until the violation is
24 corrected.

25 d. For each non-hazardous violation occurring in a multiple dwelling
26 containing more than ten dwelling units, a penalty of not less than one
27 hundred dollars nor more than one thousand five hundred dollars shall be
28 imposed from the date set for correction in the notice of violation
29 until the violation is corrected.

30 e. For each hazardous violation occurring in a multiple dwelling
31 containing more than ten dwelling units, a penalty not less than one
32 hundred fifty dollars nor more than two thousand dollars per day shall
33 be imposed from the date set for correction in the notice of violation
34 until the violation is corrected.

35 f. For each immediately hazardous violation occurring in a multiple
36 dwelling containing more than ten dwelling units, a penalty of not less
37 than five hundred dollars per day for each violation, from the date set
38 for correction in the notice of violation until the violation is
39 corrected, or imprisonment not exceeding one year, or both.

40 g. A person making a false certification of correction of a violation
41 shall be subject to a civil penalty in the following amounts, in addi-
42 tion to the other penalties herein provided: not less than five hundred
43 dollars nor more than two thousand five hundred dollars for each imme-
44 diately hazardous violation falsely certified, not less than two hundred
45 fifty dollars nor more than five hundred dollars for each hazardous
46 violation falsely certified, and not less than fifty dollars nor more
47 than two hundred fifty dollars for each non-hazardous violation falsely
48 certified.

49 5. Any daily penalty levied pursuant to subdivision two of this
50 section on a person who is in violation of the uniform fire prevention
51 and building code and who has failed to comply with an order to remedy
52 such violation within the time fixed by the regulations promulgated by
53 the secretary pursuant to subdivision one of section three hundred
54 eighty-one of this article shall be assessed no later than the four-
55 teenth day of such violation.

56 § 2. This act shall take effect immediately.