

# STATE OF NEW YORK

10806

## IN ASSEMBLY

April 1, 2026

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

AN ACT to amend the executive law, in relation to the criminal enforcement of violations of the state's uniform fire prevention and building code

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 to read as  
3 follows:

4 2. [~~Any person, having been served, either personally or by registered~~  
5 ~~or certified mail, with an order to remedy any condition found to exist~~  
6 ~~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]~~ (a) Any  
11 person, limited liability company, limited liability partnership, or  
12 corporation owning, in control of, an agent for, a tenant of, or other-  
13 wise responsible for a property or building, having been served, either  
14 personally or pursuant to subdivision four of section three hundred  
15 eight of the civil practice law and rules, with an order to remedy any  
16 condition found to exist in, on, or about the property or any building  
17 on the property in violation of the uniform fire prevention and building  
18 code, who fails to comply with such order within the time stated therein  
19 or any owner, builder, property manager, property agent, architect,  
20 tenant, contractor, subcontractor, construction superintendent or their  
21 agents or any other person [~~taking part or assisting in the construction~~  
22 ~~of any building~~], limited liability company, limited liability partner-  
23 ship, or corporation participating or assisting in either the  
24 construction of any building or the maintenance, control, or oversight  
25 of a property or building who [~~shall~~] knowingly [~~violate~~] violates any  
26 of the applicable provisions of the uniform code or any lawful order of  
27 a local government, a county or the secretary made thereunder regarding

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

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1 standards for construction, maintenance, or fire protection [~~equipment~~  
2 ~~and systems, shall be~~] is guilty of a misdemeanor punishable by a fine  
3 of not more than one thousand dollars per day of violation, or imprison-  
4 ment not exceeding one year, or both for the first one hundred eighty  
5 days, and for the following one hundred eighty days shall be punishable  
6 by a fine of no less than twenty-five dollars and not more than [~~one~~  
7 two] thousand dollars per day of violation or imprisonment not exceeding  
8 one year, or both and thereafter shall be punishable by a fine of no  
9 less than fifty dollars and not more than [~~one~~] three thousand dollars  
10 per day of violation or imprisonment not exceeding one year, or both.

11 (b) Any person, limited liability company, limited liability partner-  
12 ship or corporation owning, in control of, an agent for, a tenant of, or  
13 otherwise responsible for a property or building, having been served,  
14 either personally or pursuant to subdivision four of section three  
15 hundred eight of the civil practice law and rules, with an order to  
16 remedy any condition found to exist in, on, or about the property or any  
17 building on the property in violation of the uniform fire prevention and  
18 building code, who fails to comply with such order within the time stat-  
19 ed therein or any owner, builder, property manager, property agent,  
20 architect, tenant, contractor, subcontractor, construction superinten-  
21 dent or their agents or any other person, limited liability company,  
22 limited liability partnership, or corporation participating or assisting  
23 in either the construction of any building or the maintenance, control,  
24 or oversight of a property or building who violates any of the applica-  
25 ble provisions of the uniform code or any lawful order of a local  
26 government, a county or the secretary made thereunder regarding stand-  
27 ards for construction, maintenance, or fire protection, is guilty of a  
28 violation, punishable by a fine of not more than one thousand dollars  
29 per day of violation, or imprisonment not exceeding fifteen days, or  
30 both.

31 § 2. This act shall take effect on the ninetieth day after it shall  
32 have become a law.