STATE OF NEW YORK

3126--A

2025-2026 Regular Sessions

IN ASSEMBLY

January 23, 2025

Introduced by M. of A. LUNSFORD, McDONALD, P. CARROLL, GLICK, GRIFFIN -- read once and referred to the Committee on Governmental Operations -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

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 or local building codes 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:

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

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

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

j. in the event a complaint is made to a local government or the secretary which results in the issuance of an order in accordance with any regulations promulgated by the powers granted by section three hundred seventy-seven of this article or section three hundred seventy-nine of this article to remedy any condition found to exist in, on, or about any building in violation of any regulations promulgated by the powers granted by section three hundred seventy-seven of this article or section three hundred seventy-nine of this article, providing of such order in person or by registered or certified mail to the complainant who initially reported such violation.

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

LBD04349-02-5

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

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

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

k. in the event a complaint is made to a local government or the secretary which results in the issuance of an order in accordance with any regulations promulgated by the powers granted by section three hundred seventy-seven of this article or section three hundred seventy-nine of this article to remedy any condition found to exist in, on, or about any building in violation of any regulations promulgated by the powers granted by section three hundred seventy-seven of this article or section three hundred seventy-nine of this article, providing of such order in person or by registered or certified mail to the complainant who initially reported such violation.

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

1. In addition to and not in limitation of any power otherwise granted by law, every local government and its authorized agents shall have the power to order in writing the remedying of any condition found to exist in, on or about any building in violation of the uniform fire prevention and building code and to issue appearance tickets for violations of the uniform code. **A copy of an order served pursuant to this subdivision or any regulations promulgated by the powers granted by section three hundred seventy-seven of this article or section three hundred seventy-nine of this article shall also be provided to a complainant in accordance with the rules and regulations established under the powers granted by section three hundred seventy-seven of this article or section three hundred seventy-nine of this article, pursuant to paragraph k of subdivision one of section three hundred eighty-one of this article, if such order was issued as a result of a complaint made by an individual.**

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