

STATE OF NEW YORK

483

2025-2026 Regular Sessions

IN ASSEMBLY

(Prefiled)

January 8, 2025

Introduced by M. of A. CLARK, SEAWRIGHT, STIRPE, REYES, GALLAHAN, EPSTEIN, LEVENBERG -- read once and referred to the Committee on Higher Education

AN ACT to amend the education law, in relation to permitting certain not-for-profit corporations engaged in engineering for certain conservation efforts to do business or provide professional engineering, land surveying, or professional geology services in the state

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

1 Section 1. Section 7209 of the education law is amended by adding a
2 new subdivision 10 to read as follows:

3 10. Nothing in this article shall prohibit a foreign not-for-profit
4 corporation, as defined in section one hundred two of the not-for-profit
5 corporation law, engaged in engineering for conservation efforts associ-
6 ated with (a) tidal wetland, as defined in subdivision one of section
7 25-0103 of the environmental conservation law, restoration, (b) freshwa-
8 ter wetland, as defined in subdivision one of section 24-0107 of the
9 environmental conservation law, restoration, (c) habitat restoration,
10 (d) groundwater recharge, or (e) natural infrastructure from obtaining a
11 certificate of authority to do business in the state of New York,
12 provided that the business proposed to be done by such not-for-profit
13 corporation within this state relates to the stated conservation
14 resources and shall be conducted by a professional engineer pursuant to
15 this article.

16 § 2. Subdivisions 1, 2, and 3 of section 7210 of the education law,
17 subdivision 1 as amended by chapter 475 of the laws of 2014 and subdivi-
18 sions 2 and 3 as amended by chapter 483 of the laws of 2001, are amended
19 to read as follows:

20 1. Domestic or foreign professional service corporations, design
21 professional service corporations, professional service limited liabil-

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

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1 ity companies, foreign professional service limited liability companies,
2 registered limited liability partnerships, New York registered foreign
3 limited liability partnerships, foreign not-for-profit corporations, as
4 defined in section one hundred two of the not-for-profit corporation
5 law, engaged in engineering for conservation efforts associated with (a)
6 tidal wetland, as defined in subdivision one of section 25-0103 of the
7 environmental conservation law, restoration, (b) freshwater wetland, as
8 defined in subdivision one of section 24-0107 of the environmental
9 conservation law, restoration, (c) habitat restoration, (d) groundwater
10 recharge, or (e) natural infrastructure, partnerships and joint enter-
11 prises specified in subdivision four of section seventy-two hundred nine
12 of this article, provided each of the foregoing entities is authorized
13 to provide professional engineering, land surveying or professional
14 geology services and general business corporations authorized to provide
15 professional engineering or land surveying services pursuant to subdivi-
16 sion six of section seventy-two hundred nine of this article may offer
17 to provide or provide professional engineering, land surveying or
18 professional geology services only after obtaining a certificate of
19 authorization from the department. Except as otherwise authorized by
20 statute, rule or regulation, other business entities are not authorized
21 to offer or provide professional engineering, land surveying or profes-
22 sional geology services and may not obtain certificates of authorization
23 provided that nothing contained herein shall prohibit an individual who
24 is licensed to practice professional engineering, land surveying or
25 professional geology under this article from obtaining a certificate of
26 authorization upon application and payment of the appropriate fees
27 provided for under this section.

28 2. Upon application a certificate of authorization shall be issued by
29 the department to all individuals, corporations, not-for-profit corpo-
30 rations, limited liability companies, limited liability partnerships,
31 partnerships and joint enterprises specified in subdivision one of this
32 section and which are authorized to provide professional engineering or
33 land surveying services and pay the appropriate fee.

34 3. A "certificate of authorization" shall authorize such individual,
35 corporation, not-for-profit corporation, limited liability company,
36 limited liability partnership, partnership or joint enterprise to
37 provide professional engineering or land surveying services for three
38 years from the date of issuance subject to, as otherwise prescribed by
39 law, the supervision of the regents of the university of the state of
40 New York including the power to discipline and impose penalties in the
41 same manner and to the same extent as is provided with respect to indi-
42 viduals and their licenses and registration pursuant to this title.

43 § 3. This act shall take effect immediately.