

# STATE OF NEW YORK

2091--A

Cal. No. 573

2025-2026 Regular Sessions

## IN SENATE

January 15, 2025

Introduced by Sens. KAVANAGH, MAY, WEBB -- read twice and ordered printed, and when printed to be committed to the Committee on Housing, Construction and Community Development -- 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 establishing standards for the reuse of deconstructed building materials

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

1 Section 1. Paragraph c of subdivision 2 of section 377 of the execu-  
2 tive law, as added by chapter 707 of the laws of 1981, is amended to  
3 read as follows:

4 c. permit to the fullest extent feasible, use of modern technical  
5 methods, devices and improvements which tend to reduce the cost of  
6 construction, including the reuse of deconstructed building materials,  
7 without substantially affecting reasonable requirements for the health,  
8 safety and security of the occupants or users of buildings;

9 § 2. Section 378 of the executive law is amended by adding a new  
10 subdivision 19-a to read as follows:

11 19-a. a. To support the goal of zero on-site greenhouse gas emissions  
12 and help achieve the state's clear energy and climate agenda, including  
13 but not limited to greenhouse gas reduction requirements set forth with-  
14 in chapter one hundred six of the laws of two thousand nineteen, also  
15 known as the New York state climate leadership and community protection  
16 act, the uniform code shall set standards for the use of salvage lumber  
17 that has been previously used in buildings or other structures in  
18 construction and for the grading of salvage lumber.

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

LBD00127-03-6

1 b. The uniform code shall provide that salvage lumber shall be permit-  
2 ted to use not greater than ninety percent of the design values assigned  
3 to the species and grade of sawn lumber in the American Wood Council  
4 National Design Specification, provided an approved entity, including,  
5 but not limited to, a grading or inspection agency or registered design  
6 professional, provides verification of compliance with all of the  
7 following conditions:

8 (i) the salvage lumber is identified by a grade mark conforming with  
9 International Residential Code R602.1.1 for sawn lumber, or is accompa-  
10 nyed by a certificate of inspection issued by a lumber grading or  
11 inspection agency conforming with International Residential Code  
12 R602.1.1 for sawn lumber detailing the species and grade;

13 (ii) the salvage lumber is free of net section reductions exceeding  
14 the limitations permitted for the assigned grade;

15 (iii) the salvage lumber is free of areas of decay, fire damage or  
16 insect damage exceeding the limitations permitted for the assigned  
17 grade;

18 (iv) the salvage lumber shows no signs of failure or strength reducing  
19 characteristics exceeding the limitations permitted for the assigned  
20 grade as a result of structural loading, deconstruction, or other caus-  
21 es;

22 (v) the salvage lumber has not been subjected to temperatures contin-  
23 uously above one hundred degrees Fahrenheit (thirty-eight degrees Celsi-  
24 us), both day and night, for a period exceeding six months; and

25 (vi) the word "Salvage" and the name of the approved entity confirming  
26 compliance with subparagraphs (i) through (v) of this paragraph shall be  
27 legibly and permanently applied in indelible ink.

28 § 3. Section 376 of the executive law is amended by adding a new  
29 subdivision 7 to read as follows:

30 7. To develop a program for grading salvage lumber for structural  
31 purposes. The program shall be developed in consultation with industry  
32 stakeholders and shall include standards for determining the structural  
33 integrity of salvage lumber. The program shall be updated as necessary  
34 to reflect advances in technology and best practices.

35 § 4. This act shall take effect immediately.