



New York State

ASSEMBLY

Sheldon Silver - Speaker

Thursday, October 23, 2008

Bill Text - A07746

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STATE OF NEW YORK

7746

2007-2008 Regular Sessions

I N A S S E M B L Y

April 25, 2007

Introduced by M. of A. BRENNAN, CLARK, LENTOL, BROOK-KRASNY, HEVESI, LANCMAN, COLTON, MAISEL, MARKEY, MILLMAN, ROSENTHAL, CAMARA, BENEDETTO, CYMBROWITZ -- Multi-Sponsored by -- M. of A. D. GORDON, V. LOPEZ, PERALTA -- read once and referred to the Committee on Cities

AN ACT to amend the administrative code of the city of New York and the education law, in relation to filings by persons who have negligently or knowingly made false statements in documents submitted to the department of buildings of the city of New York and filings by architects or professional engineers whose licenses have been revoked or suspended or who have been placed on probation

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

- 1 Section 1. Subdivision c of section 26-124 of the administrative code
- 2 of the city of New York is relettered subdivision d and a new subdivi-
- 3 sion c is added to read as follows:
- 4 C. IN ADDITION TO ANY OTHER PENALTY PROVIDED BY LAW, THE COMMISSIONER
- 5 MAY REFUSE TO ACCEPT ANY APPLICATION OR OTHER DOCUMENT SUBMITTED PURSU-
- 6 ANT TO OR IN SATISFACTION OF ANY REQUIREMENT OF THIS CHAPTER OR OF CHAP-
- 7 TER ONE OF TITLE TWENTY-SEVEN OF THIS CODE OR ANY RULE OR REGULATION OF
- 8 ANY AGENCY PROMULGATED THEREUNDER THAT BEARS THE SIGNATURE OF ANY PERSON
- 9 WHO HAS BEEN FOUND, AFTER A HEARING AT THE OFFICE OF ADMINISTRATIVE
- 10 TRIALS AND HEARINGS PURSUANT TO THE DEPARTMENT'S RULES, TO HAVE KNOWING-
- 11 LY OR NEGLIGENTLY MADE A FALSE STATEMENT OR TO HAVE KNOWINGLY OR NEGLI-
- 12 GENTLY FALSIFIED OR ALLOWED TO BE FALSIFIED ANY CERTIFICATE, FORM,
- 13 SIGNED STATEMENT, APPLICATION, REPORT OR CERTIFICATION OF THE CORRECTION
- 14 OF A VIOLATION REQUIRED UNDER THE PROVISIONS OF THIS CHAPTER OR OF CHAP-
- 15 TER ONE OF TITLE TWENTY-SEVEN OF THIS CODE OR ANY RULE OR REGULATION OF
- 16 ANY AGENCY PROMULGATED THEREUNDER.

17 S 2. Subdivision 4 of section 6507 of the education law is amended by
18 adding a new paragraph e-1 to read as follows:

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets
{ } is old law to be omitted.

LBD11030-01-7

A. 7746

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1 E-1. COMPILE AND MAKE AVAILABLE TO THE NEW YORK CITY DEPARTMENT OF
2 BUILDINGS IN ELECTRONIC FORM: (I) A LIST OF ALL ARCHITECTS AND PROFES-
3 SIONAL ENGINEERS CURRENTLY LICENSED BY AND REGISTERED WITH THE DEPART-
4 MENT; (II) A LIST OF ALL ARCHITECTS AND PROFESSIONAL ENGINEERS WHO
5 CURRENTLY HOLD LIMITED PERMITS ISSUED BY THE DEPARTMENT, TOGETHER WITH
6 THE CONDITIONS AND LIMITATIONS APPLICABLE TO EACH SUCH LIMITED PERMIT;
7 AND (III) A LIST OF ALL ARCHITECTS AND PROFESSIONAL ENGINEERS WHOSE
8 LICENSES HAVE BEEN REVOKED OR SUSPENDED BY THE BOARD OF REGENTS OF THE
9 STATE OF NEW YORK OR WHO ARE CURRENTLY ON PROBATION, TOGETHER WITH THE
10 DATE OF REVOCATION OR THE DATE AND DURATION OF SUSPENSION OR PROBATION,
11 AS APPLICABLE. THE NEW YORK CITY DEPARTMENT OF BUILDINGS SHALL NOT
12 ACCEPT PLANS OR OTHER DOCUMENTS SUBMITTED IN CONNECTION WITH APPLICA-
13 TIONS FOR WORK PERMITS UNDER ARTICLES TEN THROUGH SEVENTEEN OF SUBCHAP-
14 TER ONE OF CHAPTER ONE OF TITLE TWENTY-SEVEN OF THE ADMINISTRATIVE CODE
15 OF THE CITY OF NEW YORK BY ANY PERSON REPRESENTING THAT HE OR SHE IS AN
16 ARCHITECT OR PROFESSIONAL ENGINEER WITHOUT VERIFYING, BY MEANS OF SUCH
17 LISTS, THAT SUCH PERSON MEETS THE QUALIFICATIONS ESTABLISHED BY LAW TO
18 PRACTICE AS AN ARCHITECT OR PROFESSIONAL ENGINEER IN NEW YORK STATE.

19 S 3. Subdivision (d) of section 27-140.1 of the administrative code of
20 the city of New York is relettered subdivision (e) and a new subdivision
21 (d) is added to read as follows:

22 (D) THE DEPARTMENT SHALL NOT ACCEPT PLANS OR OTHER DOCUMENTS SUBMITTED
23 IN CONNECTION WITH APPLICATIONS FOR WORK PERMITS UNDER ARTICLES TEN
24 THROUGH SEVENTEEN OF THIS SUBCHAPTER BY ANY PERSON REPRESENTING THAT HE
25 OR SHE IS AN ARCHITECT OR PROFESSIONAL ENGINEER WITHOUT VERIFYING, BY
26 MEANS OF LISTS COMPILED AND MADE AVAILABLE BY THE NEW YORK STATE DEPART-
27 MENT OF EDUCATION PURSUANT TO PARAGRAPH E-1 OF SUBDIVISION FOUR OF
28 SECTION SIXTY-FIVE HUNDRED SEVEN OF THE EDUCATION LAW, THAT SUCH PERSON
29 MEETS THE QUALIFICATIONS ESTABLISHED BY LAW TO PRACTICE AS AN ARCHITECT
30 OR PROFESSIONAL ENGINEER IN NEW YORK STATE.

31 S 4. Nothing set forth in this act shall be construed to limit the
32 power of the New York city commissioner of buildings to adopt rules,
33 consistent with state and local law, that set forth additional grounds
34 for limitation of the filing privileges of or otherwise sanctioning
35 architects and professional engineers who have been determined after a
36 hearing to have knowingly or negligently submitted applications, plans
37 or other documents to the New York city department of buildings that
38 contained false information or were not in compliance with all applica-
39 ble provisions of law or who have otherwise demonstrated incompetence or
40 a lack of knowledge of applicable law or standards.

41 S 5. This act shall take effect immediately.



Thursday, October 23, 2008

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BILL NO S04603

SAME AS Same as A 7746

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Amd SS26-124 & 27-140.1, NYC Ad Cd; amd S6507, Ed L

Relates to filings by persons who have negligently or knowingly made false statements to the department of buildings of the city of New York; relates to filings by architects or professional engineers whose licenses have been revoked or suspended or who have been placed on probation.

S04603 Actions:

BILL NO S04603

04/19/2007 REFERRED TO CITIES
05/15/2007 1ST REPORT CAL.954
05/16/2007 2ND REPORT CAL.
05/21/2007 ADVANCED TO THIRD READING
06/19/2007 PASSED SENATE
06/19/2007 DELIVERED TO ASSEMBLY
06/19/2007 referred to codes
06/22/2007 substituted for a7746
06/22/2007 ordered to third reading rules cal.855
06/22/2007 passed assembly
06/22/2007 returned to senate
08/03/2007 DELIVERED TO GOVERNOR
08/15/2007 SIGNED CHAP.542

S04603 Votes: