

2025 REGULATORY AGENDA NEW YORK STATE DEPARTMENT OF STATE

Notice is hereby provided, pursuant to section 202-d(1) of the State Administrative Procedure Act (SAPA), that the Department of State is considering proposing rules regarding the subject matters listed below.

The publication of this list is intended to help assure that small businesses, local governments, and public and private interests in rural areas are given advance notice and opportunity to participate in the rule making process. The preparation and publication of a regulatory flexibility analysis (per SAPA, section 202-b) and/or a rural area flexibility analysis (per SAPA, section 202-bb) may be required for any listed item that may become the subject of a proposed rule.

Please note that an agency is not required to propose any rule that has been described in a regulatory agenda, and an agency may propose a rule that has not been described in an agenda (SAPA, section 202-d(2)). The sections, parts and chapters referenced in the following list are located in Title 19 of the Official Compilation of Codes, Rules and Regulations of the State of New York.

DIVISION OF BUILDING STANDARDS AND CODES

Part 1203

Considering amending this Part to update the minimum standards for administration and enforcement of the Uniform Fire Prevention and Building Code (Uniform Code) and State Energy Conservation Construction Code (Energy Code) to correspond with the updated Uniform Code and Energy Code and to comply with section 381 of the Executive Law (Part T of Chapter 57 of the Laws of 2023) to include procedures requiring the documentation of compliance with regulations adopted pursuant to section 1307 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.

Part 1204

Considering amending this Part to make provisions relating to the administration of the Uniform Code by state agencies substantially similar to corresponding provisions in revised Parts 1202 and 1203, which became effective on December 30, 2022.

Part 1209

Considering amending this Part pertaining to factory manufactured housing to: update the Part, clarify fee schedule for plan review and Insignias of Approval; and add provisions relating to non-residential modular buildings.

Parts 1219-1229

Considering amending the State Uniform Code and/or adding new provisions to the Uniform Code to comply with legislative amendments to section 378 of the Executive Law (Chapters 19,

56, and 745 of the Laws of 2023, and Chapters 67 and 465 of the Laws of 2024) and to update the Uniform Code based on the latest versions of the national model codes.

Part 1240

Considering amending the Energy Code and/or adding new provisions to the Energy Code to comply with legislative amendments to section 11-103 and section 11-104 of the Energy Law (Section 1 of Part RR of Chapter 56 of the Laws of 2023 and Chapter 374 of the Laws of 2022) and to make updates based on the latest versions of the national model code and ASHRAE 90.1.

DIVISION OF CEMETERIES

Part 200

Considering amending this Part pertaining to annual reports, the location of the cemetery board's principal office, and applications for funds to address vandalism, monument repair and abandonment.

Part 201

Considering amending this Part pertaining to offers of resale of cemetery lots to cemetery corporations, revisions to cemetery maps, holiday burials, rights of memorialization, mausoleums, columbaria, renovations, and retort replacements.

Part 203

Considering amending this Part pertaining to transportation of decedents during emergencies.

DIVISION OF CONSUMER PROTECTION

Part 221

Considering regulations, in relation to Chapter 197 of the Laws of 2024, pertaining to consumer safety information that is included on a red tag affixed to the charging cord of certain devices equipped with lithium-ion batteries.

Part 224

Considering amending the Children's Product Safety and Recall Effectiveness regulations to align enforcement procedures with other Division of Consumer Protection programs and reflect current laws and practices.

DIVISION OF CORPORATIONS, STATE RECORDS AND UCC

Part 140

Considering amending section 140.6 to update the classification list of goods and services related to trademarks and service marks.

Considering regulations in relation to Chapter 772 of the Laws of 2023, which pertains to: disclosing the identity of beneficial owners of limited liability companies and certain information about such owners; and establishing a database of business entities organized in the state and foreign business entities with authority to do business in the state.

DIVISION OF LICENSING SERVICES

Parts 160, 162, 163

Considering amendments governing the scope of practice, training, and standards for appearance enhancement license holders.

Chapter V

Considering eliminating requirements to mail hard copies of course-attendance lists to the Department upon completion of every course, and adding requirements for education providers to maintain course-attendance records and provide them to the Department upon request.

Chapter XXXI

Considering amending educational standards to conform to new Appraisal Qualification Board criteria.

Chapter XXXI

Considering amending experiential standards to permit Practical Applications of Real Estate Appraisal (PAREA) as a pathway to licensure/certification.

Parts 176 & 177

Considering amending faculty criteria clarifying minimum qualifications to teach legal subjects.

Written comments and requests for information regarding any item listed above may be submitted to, Office of General Counsel, New York State Department of State, Attn: David Treacy, One Commerce Plaza, Albany, New York 12231-0001; David.Treacy@dos.ny.gov; 518-474-6740.