

STATE OF NEW YORK

8857

IN SENATE

April 25, 2022

Introduced by Sen. COMRIE -- read twice and ordered printed, and when printed to be committed to the Committee on Corporations, Authorities and Commissions

AN ACT to amend the public authorities law, in relation to authorizing local water and sewerage authorities to charge fees for surface runoff

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

1 Section 1. Section 1196-b of the public authorities law is amended by
2 adding a new subdivision 22 to read as follows:

3 22. "Surface runoff charge" shall mean the imposition of a fee, rate,
4 rent or other service charge for the use of, or services furnished by a
5 sewerage facility, sewerage system, or both, as the case may be, either
6 in a minimum amount or in an amount determined as a function of (a) the
7 gross area of the real property and (b) the impervious area of the prop-
8 erty. For the purposes of this subdivision, "impervious area of the
9 property" shall mean the area of the real property that restricts water
10 absorption.

11 § 2. Subdivisions 22 and 23 of section 1196-d of the public authori-
12 ties law, as added by chapter 510 of the laws of 1984, are amended to
13 read as follows:

14 22. To provide for the discontinuance or disconnection of the supply
15 of water or the provision of sewerage service, or both, as the case may
16 be, for non-payment of fees, rates, rents or other charges therefor
17 imposed by the authority, provided such discontinuance or disconnection
18 of any supply of water or the provision of sewerage service, or both, as
19 the case may be, shall not be carried out except in the manner and upon
20 the notice as is required of a waterworks corporation pursuant to subdi-
21 visions three-a, three-b and three-c of section eighty-nine-b and
22 section one hundred sixteen of the public service law; [~~and~~]

23 23. To develop a policy for the collection of surface runoff charges,
24 and to create credits that may be applied thereto based on behavior or
25 improvements that absorb, detain, or retain water and thereby reduce the
26 usage of sewerage facilities or sewerage systems; provided, however,
27 that no less than half of the revenues from the collection of such

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

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1 charges by an authority shall be reserved, allocated, or disbursed
2 pursuant to an agreement between the authority and a public benefit
3 corporation, state agency, municipality, governing body, or other suit-
4 able public entity for the planning, construction, or maintenance of
5 climate resiliency, stormwater management, or green infrastructure
6 projects within the district. For the purposes of this subdivision,
7 "green infrastructure" shall mean the range of publicly-owned measures
8 that use plant or soil systems, permeable pavement or other permeable
9 surfaces or substrates, stormwater harvest or reuse, civil engineering,
10 or landscaping to store, infiltrate or evapotranspire stormwater and
11 reduce flows to sewerage systems, sewerage facilities, or to surface
12 waters; and

13 24. To do all things necessary, convenient or desirable to carry out
14 its purposes and for the exercise of the powers granted in this title.

15 § 3. This act shall take effect immediately.