

STATE OF NEW YORK

8506

IN SENATE

February 6, 2024

Introduced by Sen. HARKHAM -- read twice and ordered printed, and when printed to be committed to the Committee on Consumer Protection

AN ACT to amend the general business law, in relation to individual sewage disposal system disclosures

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

1 Section 1. Subdivisions 2, 3 and 5 of section 396-s of the general
2 business law, as added by chapter 521 of the laws of 1980, are amended
3 to read as follows:

4 2. On and after July first, [~~nineteen hundred eighty-one~~] two thousand
5 twenty-five every home seller and vendor shall, either in person or by
6 certified mail, deliver to a vendee at the time of the transfer of title
7 of the [~~newly constructed~~] home serviced by an individual sewage
8 disposal system a copy of the health bulletin. If the political subdivi-
9 sion within which the home is located has published a waste treatment
10 handbook or pamphlet on individual sewage disposal systems, the home
11 seller or vendor, as applicable, shall supply a copy of such informa-
12 tional material to the vendee in the same manner as the health pamphlet.

13 3. The commissioner of the department of health is hereby directed to
14 modify the contents of the health pamphlet in such a manner that such
15 bulletin shall contain information relating to the proper method of
16 operating and maintaining individual sewage disposal systems. Such
17 information shall be in clear and concise language readily comprehensi-
18 ble by vendees and shall identify potential problems that vendees may
19 encounter with individual sewage disposal systems. The modification to
20 the health bulletin required by this subdivision shall be made on or
21 before the effective date of this section and shall be included within
22 any health pamphlet to be distributed by the department on and after
23 July first, [~~nineteen hundred eighty-one~~] thousand twenty-five.

24 5. Any home seller or vendor violating this section shall be subject
25 to a fine of [~~one~~] five hundred dollars.

26 § 2. This act shall take effect July 1, 2025.

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

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