STATE OF NEW YORK

4069--A

2025-2026 Regular Sessions

IN SENATE

January 31, 2025

Introduced by Sen. MAY -- read twice and ordered printed, and when printed to be committed to the Committee on Local Government -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the general municipal law, in relation to requiring any municipality which conducts lead testing to provide certain notices to the owner and any tenants of a residence upon a positive test

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

Section 1. The general municipal law is amended by adding a new section 139-f to read as follows:

§ 139-f. Notice to owners and tenants of residences where lead is present. 1. Any municipality or political subdivision thereof which conducts tests for the presence of lead shall provide notice to the owner and any tenants of a residence if such residence tests positive for lead within five days of such positive finding. Such notice shall include:

(a) the required response for remediation, including dates of remediation, and where applicable, court appearances, hearings or other actions mandated by the municipality;

(b) a list of lead abatement programs, grants and/or other resources;

(c) where applicable, the potential outcomes if the property owner of such dwelling fails to meet the required remediation including actions taken by the municipality;

(d) information regarding tenants' rights and possible next steps; and

(e) if a non-English language is commonly spoken in the municipality, a translation of such notice in such language shall be provided.

2. Tenants and property owners shall be provided notice at least ten days prior to code enforcement lead testing in a dwelling. Municipalities shall demonstrate that they have successfully conveyed notice to tenants by acknowledgement of receipt. In the event of a failed

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

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attempt to notify tenants, the municipality shall establish a policy for notifying tenants.

3. Municipalities shall notify tenants and property owners of a property if lead levels may render such property uninhabitable and/or if allowing the lead levels to maintain unabated may render such property uninhabitable. Such notification shall include tenants and property owners of tenants' rights pursuant to section one hundred forty-three-b of the social services law. Municipalities shall notify tenants and property owners of any municipal laws and/or policies that may lead to the department of children and family services being notified of a positive in-home lead test. Where such policies are in place, municipalities shall notify the department of children and family services and tenants that children cannot be removed from parents for failing to provide adequate housing pursuant to section one thousand twelve of the family court act.

4. The provisions of this section shall apply to all testing conducted pursuant to section thirteen hundred seventy-seven of the public health law.

§ 2. This act shall take effect immediately.