STATE OF NEW YORK

8947

IN ASSEMBLY

January 3, 2020

Introduced by M. of A. LAVINE -- read once and referred to the Committee on Consumer Affairs and Protection

AN ACT to amend the general business law, in relation to home heating system conversion

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

Section 1. Subdivisions 3 and 4 of section 778-aa of the general business law, as added by a chapter of the laws of 2019, amending the general business law and the executive law relating to home heating system conversion, as proposed in legislative bills numbers S. 3360-A and A. 6193-A, are amended to read as follows:

3. Upon entering into an agreement for the conversion of an existing home heating system from an oil home heating system to an alternative method of home heating, and prior to the commencement of the new home heating service, [~~the utility company, gas corporation, or electric corporation, as defined in section two of the public service law, or~~] any home improvement contractor installing the alternate home heating system[~~,~~] shall provide to the homeowner a written copy of the notice created by the department of state pursuant to subdivision [~~four~~] **five** of this section, in no less than 14 point bold type and separate [~~form~~] from any other document provided to such homeowner **and provide as may be required by state or local law, written notice of the agreement for the conversion of an existing home heating system to the municipal code enforcement official having authority to enforce the New York state uniform fire prevention and building code, or local code applicable to cities with a population of one million or more, whichever code applies to the jurisdiction in which the home heating system is located**.

4. (a) Prior to the commencement of the new home heating service, the property owner shall provide written notice to such property owner's heating oil supplier or suppliers to inform them of such conversion to an alternate fuel prior to the commencement of the new home heating service.

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

LBD04379-04-9

(b) The department of state shall have the authority to promulgate any rules or regulations necessary to implement the provisions of this subdivision.

[~~4.~~] **5.** The department of state shall create and make available to the public on the department's website a notice informing homeowners who are converting their existing oil home heating system to an alternative method of home heating of the provisions of subdivision thirteen of section three hundred seventy-eight of the executive law, in addition to any other state laws, rules, or regulations related to the closure, abandonment, and/or removal of a heating oil storage tank, including fill and vent pipes and other related materials and equipment. Such notice shall include [~~a requirement that~~] **information to inform** the homeowner [~~must~~] **that the homeowner shall** provide written notice to his or her home heating oil supplier to inform such supplier of such conversion prior to the commencement of the new home heating service, and shall also advise the homeowner that there may be other local laws related to such conversion.

§ 2. This act shall take effect on the same date and in the same manner as a chapter of the laws of 2019, amending the general business law and the executive law relating to home heating system conversion, as proposed in legislative bills numbers S. 3360-A and A. 6193-A, takes effect.