STATE OF NEW YORK

1399

2019-2020 Regular Sessions

IN ASSEMBLY

January 15, 2019

Introduced by M. of A. SANTABARBARA -- read once and referred to the Committee on Corporations, Authorities and Commissions

AN ACT to amend the public authorities law, in relation to establishing the emergency water infrastructure repairs fund; and making an appropriation therefor

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

Section 1. The public authorities law is amended by adding a new section 1285-v to read as follows:

§ 1285-v. Emergency water infrastructure repairs fund. 1. There is hereby established in the custody of the corporation an "emergency water infrastructure repairs fund". The purpose of the fund shall be to provide funding to municipalities for the emergency repair of any municipal water infrastructure.

2. For the purposes of this section, and notwithstanding any provision of law to the contrary, as used in this section:

(a) "emergency" means a temporary condition of failure or inadequacy of the water infrastructure of a municipality resulting from stress of weather, convulsion of nature, fire, failure of power, mechanical breakdown, breakage or stoppage of mains and other portions of the water system or sewage system;

(b) "fund" means the emergency water infrastructure repairs fund established by this section;

(c) "sewage system" means any part of a wastewater disposal system, including but not limited to all piping, drains, sewers, septic tanks, distribution boxes, absorption fields, seepage pits, cesspools, and dry wells, owned and operated by a municipality;

(d) "water infrastructure" means the sewage system and water system of a municipality; and

(e) "water system" means and includes all the pipes, pumping stations, elevated tanks and other structures and appurtenances necessary to the

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

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delivery of water under pressure and owned and operated by a municipality.

3. Moneys in the fund shall be segregated from all other funds of or in the custody of the corporation. Moneys in the fund shall be used for any authorized purpose of the fund as provided and in accordance with the provisions of this section.

4. The sources of funds shall consist of all moneys collected therefor, or moneys credited, appropriated or transferred thereto from any other fund or source pursuant to law, or any other moneys made available for the purposes of the fund.

5. Moneys in the fund may be invested by the corporation in accordance with this title and pursuant to guidelines from time to time issued by the corporation.

6. A municipality may make an application for funding for emergency repairs, in a manner, form and timeframe and containing such information as the corporation may require. The corporation shall establish such application requirements and an expedited application review process to provide funds in a timely manner.

7. The corporation shall promulgate regulations for the purpose of carrying out its responsibilities under this section.

§ 2. The legislature shall appropriate ten percent of any annual appropriation for water and sewer infrastructure repairs to the emergency water infrastructure repairs fund as established pursuant to section 1285-v of the public authorities law.

§ 3. This act shall take effect immediately.