STATE OF NEW YORK

3360

2019-2020 Regular Sessions

IN SENATE

February 6, 2019

Introduced by Sens. GAUGHRAN, BOYLE -- 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 and the executive 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. Subdivision 1 of section 778-aa of the general business law, as added by chapter 129 of the laws of 1996, is amended to read as follows:

1. All home improvement contractors as defined in subdivision five of section seven hundred seventy of this chapter or any other person providing an estimate or engaged in the installation of home heating systems shall include in any estimate of the cost of converting an existing oil home heating system to [~~either~~] a natural gas [~~or~~], electric **or any other** home heating system a separate estimate detailing the costs related to the closure, abandonment and/or removal of a home heating oil storage tank. In addition, any person making such estimate shall also provide a copy of any applicable local law, or if there is no local law then such person shall provide a written statement to that effect.

§ 2. Section 778-aa of the general business law is amended by adding two new subdivisions 3 and 4 to read as follows:

3. Following 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 who installed 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 of this section, in no less than 14 point bold type and separate form from any other document provided to such

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

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

4. 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 the homeowner must 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.

§ 3. Subdivision 13 of section 378 of the executive law is amended by adding a new paragraph h to read as follows:

h. The property owner shall provide written notice to his or her home 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.

§ 4. This act shall take effect on the ninetieth day after it shall have become a law. Effective immediately, the addition, amendment and/or repeal of any rule or regulation necessary for the implementation of this act on its effective date are authorized to be made and completed on or before such effective date.