

# STATE OF NEW YORK

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224

2021-2022 Regular Sessions

## IN SENATE

(Prefiled)

January 6, 2021

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Introduced by Sens. TEDISCO, AKSHAR, BAILEY, BORRELLO, BOYLE, GALLIVAN, HELMING, JORDAN, O'MARA, PERSAUD, RITCHIE, SANDERS, SEPULVEDA, SKOUFIS -- read twice and ordered printed, and when printed to be committed to the Committee on Environmental Conservation

AN ACT to amend the environmental conservation law, in relation to establishing the safe water infrastructure action program for the purpose of making payments toward the replacement and rehabilitation of existing local municipally-owned and funded drinking water, storm water and sanitary sewer systems

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

1 Section 1. The environmental conservation law is amended by adding a  
2 new section 3-0322 to read as follows:

3 § 3-0322. Safe water and infrastructure action program.

4 1. Notwithstanding any other provisions of this chapter or any other  
5 law and subject to an appropriation made therefor and in accordance with  
6 the provisions of this section and with the rules and regulations  
7 promulgated by the commissioner in connection therewith, on and after  
8 the first day of April, two thousand twenty-two, a consolidated local  
9 infrastructure program is hereby established for the purpose of making  
10 payments toward the replacement and rehabilitation of existing local  
11 municipally-owned and funded drinking water, storm water and sanitary  
12 sewer systems. For purposes of this section, such program shall apply to  
13 any county, city, town or village drinking water system, storm water  
14 system or sanitary sewer system within the state that is not under the  
15 maintenance and/or operational jurisdiction of the state nor any private  
16 entity. The commissioner, in conjunction with the environmental facili-  
17 ties corporation, shall promulgate all necessary rules and regulations  
18 to carry out the program so that an equitable distribution of aid shall  
19 be made for the general operation and/or general maintenance of any

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

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1 existing county, city, town and village drinking water system, storm  
2 water system or sanitary sewer system.

3 2. On or before the twenty-fifth day of April, June, September and  
4 November of each state fiscal year commencing with the state fiscal year  
5 beginning on April first, two thousand twenty-five, there shall be  
6 distributed and paid to counties, cities, towns and villages an amount  
7 equal to the moneys appropriated for the purposes of this section  
8 divided by the number of payment dates in that state fiscal year. Such  
9 amounts shall be distributed and paid pursuant to subdivision three of  
10 this section.

11 3. Amounts shall be distributed for local drinking water, storm water  
12 and sanitary sewer systems based upon the total length and width of all  
13 pipelines and mains owned and operated by the municipality.

14 4. Monies made available may be used to match other state and federal  
15 funds made available for such projects. The funds may also be used to  
16 support special improvement districts created to provide drinking water,  
17 waste water and storm water services under articles twelve, twelve-A,  
18 twelve-C and thirteen of the town law. The remainder of the apportion-  
19 ment may be used for any existing drinking water, storm water or sewer  
20 system purchases, including but not limited to, the acquisition of mate-  
21 rials for the replacement or rehabilitation.

22 5. For any city, town, or village which proposes infrastructure  
23 consolidation under this section or merges with another municipality,  
24 the funds appropriated under this section may fund costs associated with  
25 such consolidation.

26 6. For each fiscal year, starting in two thousand twenty-five, funds  
27 are to be made available to the local infrastructure assistance account  
28 of the general fund, and distributed from that account, in an amount  
29 that is at least equal to those appropriated and made available in the  
30 Consolidated Local Street and Highway Improvement Program (CHIPS).

31 § 2. This act shall take effect immediately.