STATE OF NEW YORK

9330

IN ASSEMBLY

February 29, 2024

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

AN ACT to amend the general business law, in relation to individual sewage disposal system disclosures

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

Section 1. Subdivisions 2, 3 and 5 of section 396-s of the general business law, as added by chapter 521 of the laws of 1980, are amended to read as follows:

2. On and after July first, [~~nineteen hundred eighty-one~~] **two thousand twenty-five** every **home seller and** vendor shall, either in person or by certified mail, deliver to a vendee at the time of the transfer of title of the [~~newly constructed~~] home serviced by an individual sewage disposal system a copy of the health bulletin. If the political subdivision within which the home is located has published a waste treatment handbook or pamphlet on individual sewage disposal systems, the **home seller or** vendor**, as applicable,** shall supply a copy of such informational material to the vendee in the same manner as the health pamphlet.

3. The commissioner of the department of health is hereby directed to modify the contents of the health pamphlet in such a manner that such bulletin shall contain information relating to the proper method of operating and maintaining individual sewage disposal systems. Such information shall be in clear and concise language readily comprehensible by vendees and shall identify potential problems that vendees may encounter with individual sewage disposal systems. The modification to the health bulletin required by this subdivision shall be made on or before the effective date of this section and shall be included within any health pamphlet to be distributed by the department on and after July first, [~~nineteen hundred eighty-one~~] **thousand twenty-five**.

5. Any **home seller or** vendor violating this section shall be subject to a fine of [~~one~~] **five** hundred dollars.

§ 2. This act shall take effect July 1, 2025.

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

LBD14097-01-4