

STATE OF NEW YORK

9435

IN ASSEMBLY

March 14, 2024

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

AN ACT to amend the public authorities law, in relation to including
stormwater in the definition of sewage for purposes of certain water,
sewer, and water and sewer authorities

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

1 Section 1. Subdivision 12 of section 1045-b of the public authorities
2 law, as added by chapter 513 of the laws of 1984, is amended to read as
3 follows:

4 12. "Sewage" shall mean the water-carried human or animal wastes from
5 residences, buildings, industrial establishments or other places,
6 together with such groundwater infiltration, stormwater, and surface
7 water as may be present. The admixture with sewage of industrial or
8 other waste also shall be considered "sewage" within the meaning of this
9 title.

10 § 2. Subdivisions 17, 18, 19, 20 and 21 of section 1045-b of the
11 public authorities law are renumbered subdivisions 18, 19, 20, 21 and 22
12 and a new subdivision 17 is added to read as follows:

13 17. "Stormwater" shall mean a flow of water occurring on the ground or
14 other surface when rain or meltwater can no longer be absorbed by the
15 soil or other surface.

16 § 3. Subdivision 19 of section 1115-a of the public authorities law,
17 as amended by chapter 403 of the laws of 1987, is amended to read as
18 follows:

19 19. "Sewage" shall mean the water-carried human or animal wastes from
20 residences, buildings, industrial establishments or other places,
21 together with such groundwater infiltration, stormwater, and surface
22 water as may be present. The admixture with sewage of industrial or
23 other waste also shall be considered "sewage" within the meaning of this
24 title.

25 § 4. Subdivisions 24, 25 and 26 of section 1115-a of the public
26 authorities law are renumbered subdivisions 25, 26 and 27 and a new
27 subdivision 24 is added to read as follows:

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

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1 24. "Stormwater" shall mean a flow of water occurring on the ground or
2 other surface when rain or meltwater can no longer be absorbed by the
3 soil or other surface.

4 § 5. Subdivision 17 of section 1122 of the public authorities law, as
5 added by chapter 595 of the laws of 1991, is amended to read as follows:

6 17. "Sewerage" means the water-carried human or animal wastes from
7 residences, buildings, industrial establishments or other places,
8 together with such groundwater infiltration, stormwater, and surface
9 water as may be present. The admixture with sewage of industrial or
10 other wastes also shall be considered "sewage" within the meaning of
11 this title.

12 § 6. Subdivisions 22, 23, 24, 25, 26, 27, 28 and 29 of section 1122 of
13 the public authorities law, as added by chapter 595 of the laws of 1991,
14 are renumbered subdivisions 23, 24, 25, 26, 27, 28, 29 and 30 and a new
15 subdivision 22 is added to read as follows:

16 22. "Stormwater" means a flow of water occurring on the ground or
17 other surface when rain or meltwater can no longer be absorbed by the
18 soil or other surface.

19 § 7. Subdivision 18 of section 1122 of the public authorities law, as
20 added by chapter 592 of the laws of 1991, is amended to read as follows:

21 18. "Sewage" means the water-carried human or animal wastes from resi-
22 dences, buildings, industrial establishments or other places, together
23 with such groundwater infiltration, stormwater, and surface water as may
24 be present. The admixture with sewage of industrial or other waste also
25 shall be considered "sewage" within the meaning of this title.

26 § 8. Subdivisions 22, 23 and 24 of section 1122 of the public authori-
27 ties law, as added by chapter 592 of the laws of 1991, are renumbered
28 subdivisions 23, 24, and 25 and a new subdivision 22 is added to read as
29 follows:

30 22. "Stormwater" means a flow of water occurring on the ground or
31 other surface when rain or meltwater can no longer be absorbed by the
32 soil or other surface.

33 § 9. Subdivisions 16, 17 and 18 of section 1147-a of the public
34 authorities law are renumbered subdivisions 17, 18 and 19 and a new
35 subdivision 16 is added to read as follows:

36 16. "Sewage" shall mean the water-carried human or animal wastes from
37 residences, buildings, industrial establishments or other places,
38 together with such groundwater infiltration, stormwater, and surface
39 water as may be present. The admixture with sewage of industrial or
40 other waste also shall be considered "sewage" within the meaning of this
41 title.

42 § 10. Subdivisions 19 and 20 of section 1147-a of the public authori-
43 ties law are renumbered subdivisions 21 and 22 and a new subdivision 20
44 is added to read as follows:

45 20. "Stormwater" shall mean a flow of water occurring on the ground or
46 other surface when rain or meltwater can no longer be absorbed by the
47 soil or other surface.

48 § 11. Section 1176 of the public authorities law is amended by adding
49 a new subdivision 26 to read as follows:

50 26. The term "stormwater" shall mean a flow of water occurring on the
51 ground or other surface when rain or meltwater can no longer be absorbed
52 by the soil or other surface.

53 § 12. Subdivision 12 of section 1196-b of the public authorities law,
54 as added by chapter 510 of the laws of 1984, is amended to read as
55 follows:

1 12. "Sewage" shall mean the water-carried human or animal wastes from
2 residences, buildings, industrial establishments or other places,
3 together with such groundwater infiltration, stormwater, and surface
4 water as may be present. The admixture with sewage of industrial or
5 other waste also shall be considered "sewage" within the meaning of this
6 title.

7 § 13. Subdivisions 17, 18, 19, 20 and 21 of section 1196-b of the
8 public authorities law are renumbered subdivisions 18, 19, 20, 21 and 22
9 and a new subdivision 17 is added to read as follows:

10 17. "Stormwater" shall mean a flow of water occurring on the ground or
11 other surface when rain or meltwater can no longer be absorbed by the
12 soil or other surface.

13 § 14. Subdivision 19 of section 1199-a of the public authorities law,
14 as added by chapter 723 of the laws of 1986, is amended to read as
15 follows:

16 19. "Sewage" means the water-carried human or animal wastes from resi-
17 dences, buildings, industrial establishments or other places, together
18 with such groundwater infiltration, stormwater, and surface water as may
19 be present. The admixture with sewage of industrial or other waste also
20 shall be considered "sewage" within the meaning of this title.

21 § 15. Subdivisions 23, 24 and 25 of section 1199-a of the public
22 authorities law are renumbered subdivisions 24, 25 and 26 and a new
23 subdivision 23 is added to read as follows:

24 23. "Stormwater" means a flow of water occurring on the ground or
25 other surface when rain or meltwater can no longer be absorbed by the
26 soil or other surface.

27 § 16. Subdivision 18 of section 1199-bb of the public authorities law,
28 as added by chapter 501 of the laws of 1990, is amended to read as
29 follows:

30 18. "Sewage" means the water-carried human or animal wastes from resi-
31 dences, buildings, industrial establishments or other places, together
32 with such groundwater infiltration, stormwater, and surface water as may
33 be present. The admixture with sewage of industrial or other waste also
34 shall be considered "sewage" within the meaning of this title.

35 § 17. Subdivisions 22, 23, 24, 25, 26, 27 and 28 of section 1199-bb of
36 the public authorities law, subdivisions 22, 23, 24, 25, 26 and 28 as
37 renumbered by chapter 501 of the laws of 1990, are renumbered subdivi-
38 sions 23, 24, 25, 26, 27, 28 and 29 and a new subdivision 22 is added to
39 read as follows:

40 22. "Stormwater" means a flow of water occurring on the ground or
41 other surface when rain or meltwater can no longer be absorbed by the
42 soil or other surface.

43 § 18. Subdivision 18 of section 1199-bbbb of the public authorities
44 law, as added by chapter 195 of the laws of 1995, is amended to read as
45 follows:

46 18. "Sewage" means the water-carried human or animal wastes from resi-
47 dences, buildings, industrial establishments or other places, together
48 with such groundwater infiltration, stormwater, and surface water as may
49 be present. The admixture with sewage of industrial or other waste also
50 shall be considered "sewage" within the meaning of this title.

51 § 19. Subdivisions 22, 23, 24, 25, 26, 27 and 28 of section 1199-bbbb
52 of the public authorities law, as added by chapter 195 of the laws of
53 1995, are renumbered subdivisions 23, 24, 25, 26, 27, 28 and 29 and a
54 new subdivision 22 is added to read as follows:

1 22. "Stormwater" means a flow of water occurring on the ground or
2 other surface when rain or meltwater can no longer be absorbed by the
3 soil or other surface.

4 § 20. Subdivision 18 of section 1199-aaaa of the public authorities
5 law, as added by chapter 411 of the laws of 1995, is amended to read as
6 follows:

7 18. "Sewage" means the water-carried human or animal wastes from resi-
8 dences, buildings, industrial establishments or other places, together
9 with such groundwater infiltration, stormwater, and surface water as may
10 be present. The admixture with sewage of industrial or other waste also
11 shall be considered "sewage" within the meaning of this title.

12 § 21. Subdivisions 22, 23, 24, 25, 26, 27 and 28 of section 1199-aaaa
13 of the public authorities law, as added by chapter 411 of the laws of
14 1995, are renumbered subdivisions 23, 24, 25, 26, 27, 28 and 29 and a
15 new subdivision 22 is added to read as follows:

16 22. "Stormwater" means a flow of water occurring on the ground or
17 other surface when rain or meltwater can no longer be absorbed by the
18 soil or other surface.

19 § 22. Subdivision 2 of section 1230-g of the public authorities law is
20 amended by adding a new paragraph (h) to read as follows:

21 (h) "Stormwater" means a flow of water occurring on the ground or
22 other surface when rain or meltwater can no longer be absorbed by the
23 soil or other surface.

24 § 23. Subdivision 21 of section 1232-b of the public authorities law,
25 as added by chapter 685 of the laws of 2003, is amended to read as
26 follows:

27 21. "Sewage" means the water-carried human or animal wastes from resi-
28 dences, buildings, industrial establishments or other places, together
29 with such ground water infiltration, stormwater, and surface water as
30 may be present. The admixture of sewage with industrial or other waste
31 also shall be considered "sewage" within the meaning of this title.

32 § 24. Subdivisions 26 and 27 of section 1232-b of the public authori-
33 ties law are renumbered subdivisions 27 and 28 and a new subdivision 26
34 is added to read as follows:

35 26. "Stormwater" means a flow of water occurring on the ground or
36 other surface when rain or meltwater can no longer be absorbed by the
37 soil or other surface.

38 § 25. Subdivision 16 of section 1281 of the public authorities law, as
39 amended by chapter 744 of the laws of 1970, is amended to read as
40 follows:

41 16. "Sewage" shall mean the water-carried human or animal wastes from
42 residences, buildings, industrial establishments or other places,
43 together with such ground water infiltration, stormwater, and surface
44 water as may be present. The admixture with sewage of industrial waste
45 or other waste shall also be considered "sewage" within the meaning of
46 this title.

47 § 26. Section 1281 of the public authorities law is amended by adding
48 a new subdivision 35 to read as follows:

49 35. "Stormwater" or "storm water" shall mean a flow of water occurring
50 on the ground or other surface when rain or meltwater can no longer be
51 absorbed by the soil or other surface.

52 § 27. This act shall take effect immediately.