STATE OF NEW YORK

4376

2023-2024 Regular Sessions

IN SENATE

February 7, 2023

Introduced by Sen. SANDERS -- read twice and ordered printed, and when printed to be committed to the Committee on Housing, Construction and Community Development

AN ACT to amend the public housing law, in relation to water contamination, lead paint and air quality testing in New York city housing authority buildings

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

Section 1. The public housing law is amended by adding two new sections 402-g and 402-h to read as follows:

§ 402-g. Water contamination, lead paint and air quality testing. 1. The New York city housing authority shall provide for annual water testing to monitor for lead or copper contamination in the water of each building under the jurisdiction of the authority. The authority shall transmit a copy of such results to the commissioner of health. For purposes of this section, tap water shall be considered contaminated if such water exceeds the lead or copper action level based on first-draw tap samples as provided in rules and regulations of the department of health authorized under section two hundred one of the public health law.

2. The authority, in conjunction with the commissioner of health, shall conduct lead paint testing to monitor for the presence of lead paint in each building under the jurisdiction of the authority. The authority shall provide notice to all tenants where such testing indicates the presence of lead paint in a building under the jurisdiction of the authority.

3. The authority, in conjunction with the commissioner of health shall be required to conduct annual indoor air quality testing to monitor for air quality in each building under the jurisdiction of the authority. The authority shall transmit a copy of such results to the commissioner of health. The authority shall provide notice to all tenants where such

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

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air quality test results exceed department of health indoor air guidelines or the occupational safety and health administration.

4. The authority shall be civilly liable for actual damages of any tenant, if it is determined that such tenant has suffered adverse health conditions caused by the indoor air quality, lead paint presence or water contamination of a building under the jurisdiction of the authority.

§ 402-h. Falsifying authority records notification. 1. The New York city housing authority shall provide information to all employees that any employee of the authority who falsifies records, including, but not limited to: (a) providing inaccurate water contamination results, lead paint test results or indoor air quality reports; (b) falsifying any signature; or (c) making a false entry in or falsely altering any record or other written instrument filed with the authority shall be guilty of tampering with public records in the second degree pursuant to section 175.20 of the penal law.

2. The authority shall refer any case of an employee falsifying records to local law enforcement.

§ 2. This act shall take effect immediately.