

# STATE OF NEW YORK

8506

## IN SENATE

February 6, 2024

Introduced by Sen. HARCKHAM -- 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, 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:

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

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

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

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

26 § 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