STATE OF NEW YORK

9556

IN SENATE

May 16, 2024

Introduced by Sen. COONEY -- read twice and ordered printed, and when printed to be committed to the Committee on Judiciary

AN ACT to amend the real property law, in relation to restrictions on certain activities by homeowners associations

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

Section 1. The real property law is amended by adding a new article 9-e to read as follows:

ARTICLE 9-E

RESTRICTIONS ON CERTAIN ACTIVITIES BY HOMEOWNERS ASSOCIATIONS

Section 344-a. Restrictions on the usage of pesticides.

344-b. Restrictions on use of outdoor sprinkler systems.

§ 344-a. Restrictions on the usage of pesticides. A homeowners association may not require an owner to apply a pesticide, as such term is defined in section 33-0101 of the environmental conservation law, and shall allow any owner to exclude the owner's property from the landscaping activities of the association that include application of a pesticide, except to the extent a pesticide or other pest management practice is necessary to manage or prevent a pest issue that could harm ecological or public health.

§ 344-b. Restrictions on use of outdoor sprinkler systems. A homeowners association may not require an owner to use any outdoor sprinkler system.

§ 2. This act shall take effect on the sixtieth day after it shall have become a law.

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

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