STATE OF NEW YORK

10568--A

IN ASSEMBLY

March 13, 2026

Introduced by M. of A. JACOBSON, BURDICK -- read once and referred to the Committee on Health -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the public health law, in relation to establishing the Consolidated Lead-line Elimination and Replacement (CLEAR) program; to amend the state finance law, in relation to establishing the Consolidated Lead-line Elimination and Replacement (CLEAR) fund; and to repeal certain provisions of the public health law relating thereto

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

Section 1. Short title. This act shall be known and may be cited as the "Consolidated Lead-line Elimination and Replacement (CLEAR) act".

§ 2. Section 1114 of the public health law is REPEALED and a new section 1114 is added to read as follows:

§ 1114. Consolidated Lead-line Elimination and Replacement (CLEAR) program. 1. For the purposes of this section, "covered water systems" means:

(a) a public water system that serves at least fifteen service connections used by year-round residents; or

(b) a public water system that regularly serves at least twenty-five of the same people, four hours or more per day, for four or more days per week, for twenty-six or more weeks per year.

2. The Consolidated Lead-line Elimination and Replacement (CLEAR) program is hereby established for the purpose of providing financial assistance to covered water systems for the abatement, removal and replacement of lead-contaminated water lines.

3. To receive financial assistance and reimbursement, a covered water system shall:

(a) Present proof of completing the abatement, removal and replacement of lead-contaminated water supply lines to the department. Such proof shall be in the form of a sworn certification by a licensed engineer, the municipality's chief code enforcement official or a representative of the county department of health or the department that such abatement, removal and replacement was completed; and

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

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(b) Present proof of the direct costs of the abatement, removal and replacement of such lead-contaminated water supply lines.

(i) In the event that the covered water system is owned by a municipality, such proof shall be in the form of a sworn certification by the municipality's comptroller, treasurer, or chief executive officer. Costs of the municipal attorney, corporation counsel, municipal administrator or city manager, village manager or municipal engineer shall not be eligible for reimbursement.

(ii) In the event that the covered water system is privately owned, such proof shall be in the form of a sworn certification by the covered water system's chief executive officer, comptroller or engineer. Costs of the covered water system's attorney, administrator, chief executive officer, comptroller or engineer shall not be eligible for reimbursement.

4. (a) Whether the covered water system is owned by a municipality or privately, the maximum reimbursement shall be twelve thousand dollars per water line replaced plus interest on any loans taken out specifically for the abatement, removal and replacement of the lead-contaminated water lines.

(b) In the event that a covered water system is owned by a municipality, costs of the municipal attorney, corporation counsel, municipal administrator or city manager, village manager or municipal engineer shall not be eligible for reimbursement.

(c) In the event that the covered water system is privately owned, costs of the covered water system's attorney, administrator or chief executive officer shall not be eligible for reimbursement.

5. A covered water system may be reimbursed for expenditures for the abatement, removal and replacement of lead-contaminated water lines which are owned, in total or part, by a private owner. The covered water system may also receive reimbursement for work on the lines if performed by the private owner or their agents, and if so, pass along the reimbursement received to the private owner.

6. Participation in this program shall not disqualify a covered water system from applying for and receiving additional money from other programs related to the abatement, removal and replacement of lead-contaminated water lines; however, a covered water system shall not be reimbursed for the abatement, removal and replacement of a lead-contaminated water line under this program if the covered water system has previously received funding or reimbursement for such line.

7. Any remaining funds in the possession of the state of New York from prior programs under former section eleven hundred fourteen of this article shall be transferred to the reimbursement program established by this section.

§ 3. The state finance law is amended by adding a new section 98-e to read as follows:

§ 98-e. Consolidated Lead-line Elimination and Replacement (CLEAR) fund. 1. It is hereby established in the joint custody of the state comptroller and the commissioner of taxation and finance a fund to be known as the "Consolidated Lead-line Elimination and Replacement (CLEAR) fund".

2. The Consolidated Lead-line Elimination and Replacement (CLEAR) fund shall consist of all monies appropriated by the state or transferred to the state and made available to the department of health for purposes of abatement, removal and replacement of lead-contaminated water lines in covered water systems as defined in section eleven hundred fourteen-B of the public health law.

3. Any remaining funds in the possession of the state of New York from prior programs under former section eleven hundred fourteen of the public health law shall be transferred to the fund established by this section.

4. The Consolidated Lead-line Elimination and Replacement (CLEAR) fund shall be distributed by the department of health pursuant to section eleven hundred fourteen of the public health law and all other applicable law.

5. Monies in the Consolidated Lead-line Elimination and Replacement (CLEAR) fund shall be kept separately from and shall not be commingled with any other monies in the custody of the state comptroller.

§ 4. This act shall take effect on the one hundred eightieth day after it shall have become a law. Effective immediately, the addition, amendment and/or repeal of any rule or regulation necessary for the implementation of this act on its effective date are authorized to be made and completed on or before such effective date.