

STATE OF NEW YORK

4071--B

Cal. No. 123

2025-2026 Regular Sessions

IN SENATE

January 31, 2025

Introduced by Sens. MAY, BOTTCHEER, BRISPORT, CLEARE, COMRIE, FAHY, FERNANDEZ, HARCKHAM, KAVANAGH, KRUEGER, LIU, MAYER, MURRAY, MYRIE, PALUMBO, RAMOS, ROLISON, SALAZAR, SANDERS, SERRANO, SKOUFIS -- read twice and ordered printed, and when printed to be committed to the Committee on Corporations, Authorities and Commissions -- recommitted to the Committee on Corporations, Authorities and Commissions in accordance with Senate Rule 6, sec. 8 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- reported favorably from said committee, ordered to first and second report, ordered to a third reading, amended and ordered reprinted, retaining its place in the order of third reading

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 Assembly, do enact as follows:

1 Section 1. Subdivisions 12, 13 and 14 of section 1045-b of the public
2 authorities law, as added by chapter 513 of the laws of 1984, are
3 amended to read as 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 13. "Sewerage facility" or "sewerage facilities" shall mean any
11 plants, structures and other real and personal property acquired, reha-
12 bilitated or constructed or planned for the purpose of collecting,
13 conveying, treating and disposing of stormwater or sewage, including
14 main, trunk, intercepting, connecting, lateral, outlet or other sewers,
15 outfall, pumping stations, treatment and disposal plants, groundwater

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

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1 recharge basins, back-flow prevention devices, sludge dewatering or
2 disposal equipment and facilities, clarifiers, filters, phosphorous
3 removal equipment, and other plants, structures, equipment, vehicles,
4 conveyances, real or personal property or rights therein and appurte-
5 nances thereto necessary or useful and convenient for the collection,
6 conveyance, pumping, treatment, neutralizing, storing and disposing of
7 stormwater or sewage.

8 14. "Sewerage system" shall mean the [~~sewage~~] system or systems for
9 the collection, conveyance, pumping, treatment neutralizing, storage and
10 disposal [~~system or systems~~] of sewage or stormwater in the possession
11 of, or under the jurisdiction and control of, the city or the water
12 board, including all additions, increases, enlargements, extensions or
13 improvements thereto.

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

17 17. "Stormwater" shall mean a flow of water occurring on the ground or
18 other surface from rain or meltwater that is not absorbed by the soil or
19 other surface.

20 § 3. Subdivisions 19 and 21 of section 1115-a of the public authori-
21 ties law, as amended by chapter 403 of the laws of 1987, are amended to
22 read as follows:

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

29 21. "Sewerage system" shall mean the [~~sewage~~] system or systems for
30 the collection, conveyance, pumping, treatment, neutralizing, storage
31 and disposal [~~system or systems~~] of sewage or stormwater owned by, in
32 the possession of, or under the jurisdiction and control of the city or
33 the water board, including all additions, increases, enlargements,
34 extensions or improvements thereto.

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

38 24. "Stormwater" shall mean a flow of water occurring on the ground or
39 other surface from rain or meltwater that is not absorbed by the soil or
40 other surface.

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

43 17. "Sewerage" means the water-carried human or animal wastes from
44 residences, buildings, industrial establishments or other places,
45 together with such groundwater infiltration, stormwater, and surface
46 water as may be present. The admixture with sewage of industrial or
47 other wastes also shall be considered "sewage" within the meaning of
48 this title.

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

53 22. "Stormwater" means a flow of water occurring on the ground or
54 other surface from rain or meltwater that is not absorbed by the soil or
55 other surface.

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

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

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

12 22. "Stormwater" means a flow of water occurring on the ground or
13 other surface from rain or meltwater that is not absorbed by the soil or
14 other surface.

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

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

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

27 20. "Stormwater" shall mean a flow of water occurring on the ground or
28 other surface from rain or meltwater that is not absorbed by the soil or
29 other surface.

30 § 11. Subdivisions 24 and 25 of section 1176 of the public authorities
31 law are renumbered subdivisions 25 and 26 and a new subdivision 24 is
32 added to read as follows:

33 24. The term "stormwater" shall mean a flow of water occurring on the
34 ground or other surface from rain or meltwater that is not absorbed by
35 the soil or other surface.

36 § 12. Subdivisions 12 and 14 of section 1196-b of the public authori-
37 ties law, as added by chapter 510 of the laws of 1984, are amended to
38 read as follows:

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

45 14. "Sewerage system" shall mean the [~~sewage~~] system or systems for
46 the collection, conveyance, pumping, treatment neutralizing, storage and
47 disposal [~~system—or—systems~~] of sewage or stormwater in the possession
48 of, or under the jurisdiction and control of, a municipality, including
49 all additions, increases, enlargements, extensions or improvements ther-
50 eto.

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

54 17. "Stormwater" shall mean a flow of water occurring on the ground or
55 other surface from rain or meltwater that is not absorbed by the soil or
56 other surface.

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

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

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

12 23. "Stormwater" means a flow of water occurring on the ground or
13 other surface from rain or meltwater that is not absorbed by the soil or
14 other surface.

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

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

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

28 22. "Stormwater" means a flow of water occurring on the ground or
29 other surface from rain or meltwater that is not absorbed by the soil or
30 other surface.

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

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

39 § 19. Subdivisions 22, 23, 24, 25, 26, 27 and 28 of section 1199-bbbb
40 of the public authorities law, as added by chapter 195 of the laws of
41 1995, are renumbered subdivisions 23, 24, 25, 26, 27, 28 and 29 and a
42 new subdivision 22 is added to read as follows:

43 22. "Stormwater" means a flow of water occurring on the ground or
44 other surface from rain or meltwater that is not absorbed by the soil or
45 other surface.

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

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

54 § 21. Subdivisions 22, 23, 24, 25, 26, 27 and 28 of section 1199-aaaa
55 of the public authorities law, as added by chapter 411 of the laws of

1 1995, are renumbered subdivisions 23, 24, 25, 26, 27, 28 and 29 and a
2 new subdivision 22 is added to read as follows:

3 22. "Stormwater" means a flow of water occurring on the ground or
4 other surface from rain or meltwater that is not absorbed by the soil or
5 other surface.

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

8 (h) "Stormwater" means a flow of water occurring on the ground or
9 other surface from rain or meltwater that is not absorbed by the soil or
10 other surface.

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

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

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

22 26. "Stormwater" means a flow of water occurring on the ground or
23 other surface from rain or meltwater that is not absorbed by the soil or
24 other surface.

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

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

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

36 35. "Stormwater" or "storm water" shall mean a flow of water occurring
37 on the ground or other surface from rain or meltwater that is not
38 absorbed by the soil or other surface.

39 § 27. Nothing in this act shall result in the transfer, reassignment,
40 or contracting out of existing duties and functions related to stormwa-
41 ter management that are performed by municipal employees on or before
42 the effective date of this act.

43 § 28. This act shall take effect immediately.