STATE OF NEW YORK

4071--B

Cal. No. 123

2025-2026 Regular Sessions

IN SENATE

January 31, 2025

Introduced by Sens. MAY, BOTTCHER, 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:

Section 1. Subdivisions 12, 13 and 14 of section 1045-b of the public authorities law, as added by chapter 513 of the laws of 1984, are amended to read as follows:

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

13. "Sewerage facility" or "sewerage facilities" shall mean any plants, structures and other real and personal property acquired, rehabilitated or constructed or planned for the purpose of collecting, *conveying,* treating and disposing of *stormwater or* sewage, including main, trunk, intercepting, connecting, lateral, outlet or other sewers, 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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recharge basins, back-flow prevention devices, sludge dewatering or disposal equipment and facilities, clarifiers, filters, phosphorous removal equipment, and other plants, structures, equipment, vehicles, conveyances, real or personal property or rights therein and appurtenances thereto necessary or useful and convenient for the collection, conveyance, pumping, treatment, neutralizing, storing and disposing of **stormwater or** sewage.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

14. "Sewerage system" shall mean the [~~**sewage**~~] **system or systems for the** collection, **conveyance,** pumping, treatment neutralizing, storage and disposal [~~**system or systems**~~] **of sewage or stormwater** in the possession of, or under the jurisdiction and control of, a municipality, including all additions, increases, enlargements, extensions or improvements thereto.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

§ 28. This act shall take effect immediately.