

STATE OF NEW YORK

8190

2025-2026 Regular Sessions

IN ASSEMBLY

May 5, 2025

Introduced by M. of A. HAWLEY -- read once and referred to the Committee on Environmental Conservation

AN ACT to amend the environmental conservation law, in relation to establishing the pipeline investment for public environmental solutions program

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

1 Section 1. Paragraphs f and g of subdivision 1 of section 58-0903 of
2 the environmental conservation law, as added by section 1 of part UU of
3 chapter 59 of the laws of 2021, are amended and a new paragraph h is
4 added to read as follows:

5 f. costs associated with the establishment of riparian buffers to
6 provide distance between farm fields and streams or abate erosion during
7 high flow events; ~~and~~

8 g. costs associated with lead service line replacement pursuant to
9 section eleven hundred fourteen of the public health law~~[-]~~; and

10 h. costs associated with the pipeline investment for public environ-
11 mental solutions program established pursuant to section 58-0905 of
12 this article.

13 § 2. The environmental conservation law is amended by adding a new
14 section 58-0905 to read as follows:

15 § 58-0905. Pipeline investment for public environmental solutions
16 program.

17 1. a. There is hereby established a pipeline investment for public
18 environmental solutions program for the purpose of making payments
19 toward the replacement and rehabilitation of existing local municipal-
20 ly-owned and funded drinking water, stormwater and sanitary sewer
21 systems and the expansion of new water infrastructure. The program shall
22 apply to any drinking water system, stormwater system or sanitary sewer
23 system within the state that is under the maintenance and/or operational
24 jurisdiction of a county, city, town, village, taxing district specific

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

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1 to water, sewer, or stormwater treatment and/or conveyance, or public
2 authority, excluding a city of one million or more.

3 b. The commissioner, in conjunction with the New York state environ-
4 mental facilities corporation, shall promulgate all necessary rules and
5 regulations to carry out the program so that an equitable distribution
6 of aid shall be made for the general maintenance, upgrade or replacement
7 of any such existing drinking water system, stormwater system or sani-
8 tary sewer system and other associated costs. Existing water infrastruc-
9 ture includes all the man-made and natural features that move and treat
10 water in terms of drinking water, wastewater, and stormwater.

11 2. On or before the twenty-fifth day of April, June, September and
12 November of each state fiscal year commencing with the state fiscal year
13 beginning on April first, two thousand twenty-seven, there shall be
14 distributed and paid to counties, cities, towns, villages, taxing
15 districts specific to water, sewer, or stormwater treatment and/or
16 conveyances, and public authorities an amount equal to the moneys allo-
17 cated for the purposes of this section divided by the number of payment
18 dates in that state fiscal year. Such amounts shall be distributed and
19 paid pursuant to subdivision three of this section.

20 3. Amounts shall be distributed for local drinking water, stormwater
21 and sanitary sewer systems based upon a funding formula that the depart-
22 ment and the department of health shall create taking into consideration
23 factors including but not limited to: the system's length and width of
24 pipes; other physical assets maintained by the system, including treat-
25 ment facilities and pumping stations; the age of the system's infras-
26 tructure; and relevant socioeconomic factors, prioritizing rural commu-
27 nities.

28 4. Monies made available may be used in addition to existing sources
29 of state funding, as well as to match federal funds made available for
30 such projects. The remainder of the apportionment may be used for any
31 existing drinking water, stormwater or sewer system purchases, including
32 but not limited to, the acquisition of materials for the replacement or
33 rehabilitation.

34 5. For any city, town, village, taxing district specific to water,
35 sewer, or stormwater treatment and/or conveyance, or public authority
36 which proposes infrastructure consolidation under this section or merges
37 with another municipality, the funds appropriated under this section may
38 fund costs associated with such consolidation.

39 6. Nothing in this section shall prohibit the use of such funding for
40 New York state intermunicipal water infrastructure projects pursuant to
41 section twelve hundred eighty-five-s of the public authorities law.

42 7. At the end of each fiscal year, each county, city, town, village,
43 taxing district specific to water, sewer, or stormwater treatment and/or
44 conveyance, and public authority that receives funding pursuant to this
45 section shall submit an annual report to the department detailing how
46 such money was used. The department shall compile all reports and submit
47 them to the comptroller for their review. Once a report is finalized, it
48 shall be made publicly available on the department's website. The
49 department and the comptroller shall reserve the right to conduct site
50 visits to ensure the money is being used accurately.

51 § 3. Subdivision 2 of section 58-0903 of the environmental conserva-
52 tion law, as added by section 1 of part UU of chapter 59 of the laws of
53 2021, is amended to read as follows:

54 2. The department and the New York state environmental facilities
55 corporation are authorized to provide state assistance payments or

1 grants to municipalities for projects authorized pursuant to paragraphs
2 a, b, [~~and~~] d, and h of subdivision one of this section.

3 § 4. Section 58-0901 of the environmental conservation law, as amended
4 by section 8 of part 00 of chapter 58 of the laws of 2022, is amended to
5 read as follows:

6 § 58-0901. Allocation of moneys.

7 Of the moneys received by the state from the sale of bonds pursuant to
8 the environmental bond act of 2022 for disbursements for state assist-
9 ance for water quality improvement projects as defined by title one of
10 this article, not less than six hundred fifty million dollars
11 (\$650,000,000) shall be available for water quality improvement projects
12 developed pursuant to section 58-0903 of this title. Not less than two
13 hundred million dollars (\$200,000,000) of this amount shall be available
14 for wastewater infrastructure projects undertaken pursuant to the New
15 York state water infrastructure improvement act of 2017 pursuant to
16 paragraph e of subdivision one of section 58-0903 of this title, [~~and~~]
17 not less than two hundred fifty million dollars (\$250,000,000) shall be
18 available for municipal stormwater projects pursuant to paragraph a of
19 subdivision one of section 58-0903 of this title; and not less than two
20 hundred million dollars (\$200,000,000) of this amount shall be available
21 on a biennial basis for the pipeline investment for public environmental
22 solutions program pursuant to section 58-0905 of this title.

23 § 5. Severability. If any clause, sentence, paragraph, subdivision,
24 section or part of this act shall be adjudged by any court of competent
25 jurisdiction to be invalid, such judgment shall not affect, impair, or
26 invalidate the remainder thereof, but shall be confined in its operation
27 to the clause, sentence, paragraph, subdivision, section or part thereof
28 directly involved in the controversy in which such judgment shall have
29 been rendered. It is hereby declared to be the intent of the legislature
30 that this act would have been enacted even if such invalid provisions
31 had not been included herein.

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