STATE OF NEW YORK

7238

2025-2026 Regular Sessions

IN SENATE

April 4, 2025

Introduced by Sen. BASKIN -- read twice and ordered printed, and when printed to be committed to the Committee on Environmental Conservation

AN ACT to amend the environmental conservation law and the public health law, in relation to the criteria for financing certain lead service line and pipe replacements

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

Section 1. The environmental conservation law is amended by adding a new section 56-0203 to read as follows:

§ 56-0203. Replacements of lead service lines and pipes.

1. The environmental facilities corporation shall revise criteria for the approval of projects to finance lead service line and pipe replacements which shall include, but not be limited to, the cost burden of the replacement per household in the community, the cost burden of the replacement per household on the water system, the incidence of childhood lead poisoning within the water system, the action limit for lead in the water system, and the water system's commitment to funding the full costs of the full replacement of lead service lines, including both the water system and the property owner's portions of a lead service line.

2. For purposes of this section:

(a) "Service line" means any piping connecting a water main to a building inlet.

(b) "Lead service line" means a service line made of lead or where a portion of the service line is made of lead.

(c) "Action limit for lead" means the occurrence when the ninetieth percentile of all tap water samples in a water system exceeds fifteen parts per billion, as established by the environmental protection agency or the state department of health.

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

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§ 2. Section 1114 of the public health law, as amended by section 8 of part MM of chapter 57 of the laws of 2018, is amended to read as follows:

§ 1114. Lead service line replacement grant program. 1. The department shall allocate appropriated funds equitably among regions of the state. Within each region, the department shall [~~give priority to municipalities that have a high percentage of elevated childhood blood lead levels, based on the most recent available data. In distributing the awards allocated for each region to such priority municipalities, the department shall also consider whether the community is low income and the number of lead service lines in need of replacement~~] **score projects on the following criteria; the cost burden of the replacement per household on the water system, the incidence of childhood lead poisoning within the water system, the action limit for lead in the water system, and the water system's commitment to funding the full costs of the full replacement of lead service lines, including both the water system and the property owner's portions of a lead service line**.

2. The department may request that such municipalities provide such documentation as the department may require to confirm award eligibility.

[~~2.~~] **3.** Further, the department shall establish a statewide plan for lead service line replacement, which shall include, at a minimum, a report on the implementation of subdivision one of this section, resources and techniques for identifying lead service lines throughout the state, the cost of replacing lead service lines, recommendations for municipalities on methods for evaluating the status of lead service lines present and guidance on replacement.

[~~3.~~] **4.** The department shall publish information, application forms, procedures and guidelines relating to the program on its website and in a manner that is accessible to the public and all potential award recipients.

5. For the purposes of this section:

(a) "Service line" means any piping connecting a water main to a building inlet, whether owned by the water system or the property owner.

(b) "Lead service line" means a service line made of lead or where a portion of the service line is made of lead.

(c) "Water system" means the municipality or water authority or other public entity responsible for public water supply in a municipality.

(d) "Action limit for lead" means the occurrence when the ninetieth percentile of all tap water samples in a water system exceeds fifteen parts per billion, as established by the environmental protection agency or the department.

§ 3. The public health law is amended by adding a new section 1170 to read as follows:

§ 1170. Replacements of lead service lines and pipes. 1. The corporation shall revise criteria for the approval of projects to finance lead service line and pipe replacements which shall include:

(a) The cost burden of the replacement per household in the water system;

(b) The age of the housing stock within the water system;

(c) The incidence of childhood lead poisoning within the water system;

(d) The action limit for lead in the water system; and

(e) The water system's commitment to funding the full costs of the full replacement of lead service lines, including both the water system and property owners portions of a lead service line.

2. For purposes of this section:

(a) "Service line" means any piping connecting a water main to a building inlet, whether owned by the water system or the property owner.

(b) "Lead service line" means a service line made of lead or where a portion of the service line is made of lead.

(c) "Water system" means the municipality or water authority or other public entity responsible for public water supply in a municipality.

(d) "Action limit for lead" means the occurrence when the ninetieth percentile of all tap water samples in a water system exceeds fifteen parts per billion, as established by the environmental protection agency or the department.

§ 4. This act shall take effect immediately.