

STATE OF NEW YORK

7238--A

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 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

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:

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

3 § 56-0203. Replacements of lead service lines and pipes.

4 1. The environmental facilities corporation shall revise criteria for
5 the approval of projects to finance lead service line and pipe replace-
6 ments which shall include, but not be limited to, the cost burden of the
7 replacement per service line on the water system, the incidence of
8 childhood lead poisoning within the water system, the degree of action
9 level exceedance in the water system, and the water system's commitment
10 to funding the full costs of the full replacement of lead service lines,
11 including both the water system and the property owner's portions of a
12 lead service line.

13 2. For purposes of this section:

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

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

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

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

LBD09669-04-5

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

4 § 1114. Lead service line replacement grant program. 1. The department
5 shall allocate appropriated funds equitably among regions of the state.
6 Within each region, the department shall [~~give priority to municipi-~~
7 ~~palities that have a high percentage of elevated childhood blood lead~~
8 ~~levels, based on the most recent available data. In distributing the~~
9 ~~awards allocated for each region to such priority municipalities, the~~
10 ~~department shall also consider whether the community is low income and~~
11 ~~the number of lead service lines in need of replacement] score projects
12 on the following criteria; the cost burden of the replacement per
13 service line on the water system, the incidence of childhood lead
14 poisoning within the water system, the degree of action level exceedance
15 in the water system, and the water system's commitment to funding the
16 full costs of the full replacement of lead service lines, including both
17 the water system and the property owner's portions of a lead service
18 line.~~

19 2. The department may request that such municipalities provide such
20 documentation as the department may require to confirm award eligibil-
21 ity.

22 [~~2-~~] 3. Further, the department shall establish a statewide plan for
23 lead service line replacement, which shall include, at a minimum, a
24 report on the implementation of subdivision one of this section,
25 resources and techniques for identifying lead service lines throughout
26 the state, the cost of replacing lead service lines, recommendations for
27 municipalities on methods for evaluating the status of lead service
28 lines present and guidance on replacement.

29 [~~3-~~] 4. The department shall publish information, application forms,
30 procedures and guidelines relating to the program on its website and in
31 a manner that is accessible to the public and all potential award recip-
32 ients.

33 5. For the purposes of this section:

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

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

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

40 (d) "Action level exceedance" means the occurrence when the ninetieth
41 percentile of all tap water samples in a water system exceeds fifteen
42 parts per billion, as established by the environmental protection agency
43 or the department.

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

46 § 1170. Replacements of lead service lines and pipes. 1. The corpo-
47 ration shall revise criteria for the approval of projects to finance
48 lead service line and pipe replacements which shall include:

49 (a) The cost burden of the replacement per service line on the water
50 system;

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

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

53 (d) The degree of action level exceedance in the water system; and

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

1 2. For purposes of this section:

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

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

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

8 (d) "Action level exceedance" means the occurrence when the ninetieth
9 percentile of all tap water samples in a water system exceeds fifteen
10 parts per billion, as established by the environmental protection agency
11 or the department.

12 § 4. This act shall take effect immediately.