

SENATE, No. 320

STATE OF NEW JERSEY 219th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2020 SESSION

Sponsored by:

Senator RONALD L. RICE

District 28 (Essex)

SYNOPSIS

Requires contracts for sales of residential property to address lead service lines.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



1 **AN ACT** concerning the sale of residential property served by a lead
2 service line, and supplementing Title 58 of the Revised Statutes.

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4 **BE IT ENACTED** *by the Senate and General Assembly of the State*
5 *of New Jersey:*

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7 1. a. Every contract of sale of residential real property that is
8 served by a lead service line shall include, as a condition of the sale,
9 a notification by the seller to the buyer of whether the property is
10 served by a service line containing lead or a certification that the
11 seller is not aware of whether the property is served by a service
12 line containing lead.

13 b. Closing of title on the sale of the real property shall not
14 occur unless the buyer has certified in writing that the seller has
15 notified the buyer that (1) the property is served by a service line
16 containing lead, (2) the seller has inspected the property and found
17 that the service line does not contain lead, or (3) the seller is not
18 aware of whether the property is served by a service line containing
19 lead.

20 c. If the seller provides notification pursuant to this section that
21 the real property is served by a service line containing lead or that
22 the seller is not aware of whether the real property is served by a
23 service line containing lead, closing of title on the sale of the real
24 property shall not occur unless, at closing, both the buyer and seller
25 certify that (1) the service line will be replaced as a condition of the
26 sale or (2) the buyer has been notified in writing of the hazards
27 associated with consuming water from a service line containing
28 lead.

29 d. As used in this section, “service line” means the pipe,
30 tubing, and fittings connecting a water main to a residential
31 building.

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33 2. This act shall take effect on the first day of the second month
34 following the date of enactment.

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STATEMENT

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39 This bill would require every contract of sale of a residential
40 property to include, as a condition of the sale, a notification by the
41 seller to the buyer of whether the property is served by a service
42 line containing lead or a certification that the seller is not aware of
43 whether the property is served by a service line containing lead.
44 The bill provides that closing on a property would not occur unless
45 the buyer has certified in writing that the seller has provided the
46 required information. Further, the bill provides that if the seller
47 provides notification that the property is served by a service line

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1 containing lead or that the seller is not aware of whether the
2 property is served by a service line containing lead, the closing of
3 title on the sale of the real property could not occur unless, at
4 closing, both the buyer and seller certify that (1) the service line
5 will be replaced as a condition of the sale or (2) the buyer has been
6 notified in writing of the hazards associated with consuming water
7 from a service line containing lead.

8 The bill would take effect on the first day of the second month
9 following the date the bill is enacted into law.