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

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

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

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

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

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

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

STATEMENT

This bill would require every contract of sale of a residential property to include, as a condition of the sale, a notification by the seller to the buyer of whether the property is served by a service line containing lead or a certification that the seller is not aware of whether the property is served by a service line containing lead. The bill provides that closing on a property would not occur unless the buyer has certified in writing that the seller has provided the required information. Further, the bill provides that if the seller provides notification that the property is served by a service line
containing lead or that the seller is not aware of whether the property is served by a service line containing lead, the closing of title on the sale of the real property could not occur unless, at closing, both the buyer and seller certify that (1) the service line will be replaced as a condition of the sale or (2) the buyer has been notified in writing of the hazards associated with consuming water from a service line containing lead.

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