

STATE OF NEW YORK

1434

2019-2020 Regular Sessions

IN ASSEMBLY

January 15, 2019

Introduced by M. of A. SANTABARBARA, STECK, D'URSO, RIVERA, BRONSON,
WALSH -- read once and referred to the Committee on Agriculture

AN ACT to amend the agriculture and markets law, in relation to author-
izing the delivery of liquefied petroleum gas in times of emergency

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

1 Section 1. Section 192-e of the agriculture and markets law is amended
2 by adding a new subdivision 6-a to read as follows:

3 6-a. (a) Notwithstanding any other law, rule or regulation to the
4 contrary, a person, firm, limited liability company or corporation who
5 is not the owner of a liquefied petroleum gas cylinder, container or
6 receptacle may fill, refill or otherwise deliver liquefied petroleum gas
7 into such liquefied petroleum gas cylinder, container or receptacle,
8 provided, such cylinder, container or receptacle and devices and associ-
9 ated pipelines operating off of such cylinder, container, or receptacle
10 has been inspected and certified as required by law or regulation, when:

11 (i) a consumer has acted in good faith under an existing contract to
12 procure delivery of liquefied petroleum gas from the owner of a lique-
13 fied petroleum gas cylinder, container or receptacle, but has not
14 received liquefied petroleum gas in a reasonable time; and

15 (ii) a federal, state or local state of emergency has been declared;
16 or

17 (iii) severe weather or any other similar circumstances may result in
18 individuals being placed in imminent danger of death or injury or build-
19 ing structures and/or its fixtures at risk of significant damage.

20 (b) Any person, firm, limited liability company or corporation who
21 fills, refills or otherwise delivers liquefied petroleum gas or owns
22 such a gas cylinder, container or receptacle is not permitted to charge
23 any penalty or fee in addition to any standard filling, refilling or
24 delivery fee pursuant to this subdivision.

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

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- 1 (c) Nothing in this subdivision shall be deemed to restrict the owner
- 2 of a liquefied petroleum gas cylinder, container or receptacle from
- 3 procuring liquefied petroleum gas from any seller.
- 4 § 2. This act shall take effect immediately.