

STATE OF NEW YORK

4496

2021-2022 Regular Sessions

IN ASSEMBLY

February 4, 2021

Introduced by M. of A. DE LA ROSA -- read once and referred to the Committee on Corporations, Authorities and Commissions

AN ACT to amend the public service law, in relation to requiring the release of individuals from utility corporation services in instances of domestic violence

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

1 Section 1. The public service law is amended by adding a new section
2 48-a to read as follows:

3 § 48-a. Utility services; domestic violence victims. Every utility
4 corporation shall allow a person who is under a shared contract with
5 such utility corporation and who is a victim of domestic violence, to
6 opt-out of such contract without charge when such person requests to
7 opt-out in writing and provides to such utility corporation any of the
8 following documents, which shall relate to such domestic violence, with-
9 in six months of the document's issuance: (a) a valid domestic violence
10 incident report form, as such term is defined in subdivision fifteen of
11 section eight hundred thirty-seven of the executive law; (b) a valid
12 police report; (c) a valid order of protection; (d) a signed affidavit
13 from a licensed medical or mental health care provider, employee of a
14 court acting within the scope of his or her employment, social worker, a
15 rape crisis counselor, as defined in section forty-five hundred ten of
16 the civil practice law and rules, or advocate acting on behalf of an
17 agency that assists domestic violence victims. A claim for opting-out of
18 such contract without charge shall be made in good faith. Such utility
19 corporation shall waive the otherwise applicable charges for such person
20 requesting to opt-out of such contract.

21 § 2. This act shall take effect immediately and shall apply to
22 contracts entered into on and after such effective date.

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

LBD07336-01-1