STATE OF NEW YORK

8736

IN SENATE

January 7, 2026

Introduced by Sen. PARKER -- read twice and ordered printed, and when printed to be committed to the Committee on Judiciary

AN ACT to amend the civil practice law and rules, the public service law and the public authorities law, in relation to prohibiting the seizure of utility meters and the termination of utility service through replevin actions

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

Section 1. Legislative findings. The legislature finds that access to gas, electric, and steam service is essential to the health, safety, and general welfare of residents and businesses of the state. The legislature further finds that regulated utilities and public authorities have used replevin actions pursuant to article 71 of the civil practice law and rules to seize utility meters as a means of terminating service, including through orders of seizure that authorize law enforcement to enter premises. The legislature determines that the seizure of utility meters and the termination of essential utility service through such actions is contrary to the public interest and undermines existing utility consumer protections. It is therefore the intent of the legislature to prohibit the use of replevin actions to seize utility meters and to prevent the termination of utility service pursuant to section 7101 of the civil practice law and rules.

§ 2. Section 7101 of the civil practice law and rules is amended to read as follows:

§ 7101. When action may be brought. **(a)** An action under this article may be brought to try the right to possession of a chattel.

(b) This article shall not apply to the provision of any part of the gas, electric or steam service provided to any residential customer or non-residential customer by any gas, electric or steam corporation or municipality, including the Long Island power authority. It is hereby declared to be the policy of this state that the continued provision of all or any part of such gas, electric and steam service to all residential and non-residential customers without unreasonable qualifications or lengthy delays is necessary for the preservation of the health and

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

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general welfare and is in the public interest. The seizure of electric, gas, or steam meters is against the public interest.

§ 3. Section 32 of the public service law is amended by adding a new subdivision 7 to read as follows:

7. Utility service shall not be terminated for any residential electric or gas service to a residence pursuant to section seventy-one hundred one of the civil practice law and rules.

§ 4. Title 1-A of article 5 of the public authorities law, as added by chapter 517 of the laws of 1986, is amended by adding a new section 1020-nn to read as follows:

§ 1020-nn. Utility service. Utility service shall not be terminated for any residential customer or non-residential customer pursuant to section seventy-one hundred one of the civil practice law and rules.

§ 5. This act shall take effect immediately.