S T A T E O F N E W Y O R K

1555

2009-2010 Regular Sessions

I N A S S E M B L Y

(PREFILED)

January 7, 2009

Introduced by M. of A. GIANARIS, NOLAN, MARKEY, ROSENTHAL, FIELDS, MILLMAN, PHEFFER, COOK, ROBINSON, DIAZ, BENEDETTO, JAFFEE, BRADLEY, COLTON, GREENE, LANCMAN, PERALTA, TITONE, MAISEL, KAVANAGH -- Multi-Sponsored by -- M. of A. BOYLAND, BRENNAN, CYMBROWITZ, DINOWITZ, GOTTFRIED, HYER-SPENCER, LATIMER, McENENY, PERRY, SAYWARD, SEMINERIO, TOWNS, WEISENBERG -- read once and referred to the Committee on Corporations, Authorities and Commissions

AN ACT to amend the public service law, in relation to the liability of gas and electric corporations arising from the negligence of their employees, servants or agents

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. Subdivision 12 of section 66 of the public service law is amended by adding a new undesignated paragraph to read as follows:

NOTHING CONTAINED IN THIS SUBDIVISION SHALL BE CONSTRUED TO, AND NO RULE, REGULATION, ORDER OR PRACTICE OF THE COMMISSION SHALL AUTHORIZE THE FILING BY ANY GAS CORPORATION OR ELECTRIC CORPORATION OF ANY SCHEDULE SETTING FORTH RULES OR REGULATIONS RELATING TO RATES OR SERVICE WHICH, IN WORDS OR EFFECT, ABSOLVE OR ATTEMPT TO ABSOLVE SUCH CORPORATION FROM LIABILITY FOR THE INTERRUPTION OF ITS SUPPLY OF SERVICE ARISING FROM THE ORDINARY NEGLIGENCE OF ITS EMPLOYEES, SERVANTS OR AGENTS. ANY PART OF ANY SCHEDULE FILED BY SUCH CORPORATION SETTING FORTH ANY SUCH RULES OR REGULATIONS RELATING TO ABSOLUTION FROM LIABILITY SHALL BE DEEMED VOID AS AGAINST PUBLIC POLICY.

S 2. This act shall take effect immediately.

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

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