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

509

2009-2010 Regular Sessions

I N A S S E M B L Y

(PREFILED)

January 7, 2009

Introduced by M. of A. KAVANAGH, BRODSKY, COLTON, JAFFEE, MAYERSOHN, PERRY, PHEFFER, REILLY, J. RIVERA, P. RIVERA, ERRIGO -- Multi-Sponsored by -- M. of A. BOYLAND, DelMONTE, GIGLIO, GLICK, GORDON, GOTTFRIED, LUPARDO, PEOPLES, SALADINO, SCOZZAFAVA, WEISENBERG, ZEBROWSKI -- read once and referred to the Committee on Corporations, Authorities and Commissions

AN ACT to amend the public service law and the general business law, in relation to third party notification

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

Section 1. Section 40 of the public service law, as amended by chapter 631 of the laws of 1992, is amended to read as follows:

S 40. Voluntary third-party [notice prior to termination of service] NOTIFICATION. 1. Every utility corporation or municipality shall permit a residential customer to designate a third-party to receive NOTICE OF THE TOTAL AMOUNT DUE OR PAST DUE ON ALL BILLS, THE AMOUNTS OF ANY PAYMENTS PAID BY OR ON BEHALF OF SUCH RESIDENTIAL CUSTOMER, AND copies of all notices relating to termination of service [or] AND NOTICES RELATING TO collection of amounts due sent to such residential customer, provided that the designated third-party indicates in writing a willingness to receive such notices.

2. Every utility corporation or municipality shall permit a landlord, upon written request of both the landlord and tenant, to designate a third-party to be notified of all requests for discontinuance of service to units owned by such landlord.

S 2. The general business law is amended by adding a new section 393-e to read as follows:

S 393-E. VOLUNTARY THIRD-PARTY NOTIFICATION. 1. EVERY TELEGRAPH OR TELEPHONE CORPORATION, CABLE TELEVISION CORPORATION, CELLULAR PHONE COMPANY, OR MUNICIPALITY SHALL PERMIT A RESIDENTIAL CUSTOMER TO DESIG-

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

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NATE A THIRD-PARTY TO RECEIVE NOTICE OF THE TOTAL AMOUNT DUE OR PAST DUE ON ALL BILLS, THE AMOUNTS OF ANY PAYMENTS PAID BY OR ON BEHALF OF SUCH RESIDENTIAL CUSTOMER, AND COPIES OF ALL NOTICES RELATING TO TERMINATION OF SERVICE AND NOTICES RELATING TO COLLECTION OF AMOUNTS DUE SENT TO SUCH RESIDENTIAL CUSTOMER, PROVIDED THAT THE DESIGNATED THIRD-PARTY INDICATES IN WRITING A WILLINGNESS TO RECEIVE SUCH NOTICES.

2. EVERY TELEGRAPH OR TELEPHONE CORPORATION, CABLE TELEVISION CORPORATION, CELLULAR PHONE COMPANY, OR MUNICIPALITY SHALL PERMIT A LANDLORD, UPON WRITTEN REQUEST OF BOTH THE LANDLORD AND TENANT, TO DESIGNATE A THIRD-PARTY TO BE NOTIFIED OF ALL REQUESTS FOR DISCONTINUANCE OF SERVICE TO UNITS OWNED BY SUCH LANDLORD.

S 3. This act shall take effect on the ninetieth day after it shall have become a law.