

1881

2009-2010 Regular Sessions

I N S E N A T E

February 9, 2009

Introduced by Sen. KLEIN -- read twice and ordered printed, and when printed to be committed to the Committee on Energy and Telecommunications

AN ACT to amend the public service law, in relation to rates charged religious bodies and community residence supportive living facilities

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

1 Section 1. Section 76 of the public service law, as amended by chapter
2 82 of the laws of 1998, is amended to read as follows:
3 S 76. Rates charged veteran organizations, religious bodies and commu-
4 nity residences. No gas corporation, electric corporation or municipi-
5 pality shall, directly or indirectly, charge, demand, collect or receive
6 from any post or hall owned or leased by a not-for-profit corporation
7 that is a veterans' organization, or corporation or association organ-
8 ized and conducted in good faith for religious purposes, including the
9 operation by such corporation or association of a school, notwithstand-
10 ing that secular subjects are taught at such school, or from a community
11 residence as defined in subdivision twenty-eight, twenty-eight-a or
12 twenty-eight-b of section 1.03 of the mental hygiene law, provided,
13 however, that such residence shall be operated by a not-for-profit
14 corporation and if supervisory staff is on site on a twenty-four hour
15 per day basis, that the residence provides living accommodations for
16 fourteen or fewer residents, a rate, regardless of the type of service
17 offered, for any gas or electric service utilized exclusively in
18 connection with such veteran organization or for such religious purposes
19 or utilized exclusively at such community residence greater than the
20 rates or charges charged, demanded, collected or received by such gas
21 corporation, electric corporation or municipality from domestic consum-
22 ers receiving single-phase service within the same village, town or
23 municipality. IN ADDITION, NOTWITHSTANDING THE PROVISION OF SUBDIVISION
24 TWENTY-SEVEN OF SECTION SIXTY-SIX OF THIS ARTICLE, IN THE EVENT THE

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

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1 RATES OR CHARGES CHARGED, DEMANDED, COLLECTED OR RECEIVED BY SUCH GAS
2 CORPORATION, ELECTRICAL CORPORATION OR MUNICIPALITY FROM SUCH DOMESTIC
3 CONSUMERS ARE BASED UPON THE TIME OF USE, THEN SUCH CORPORATION, ASSOCI-
4 ATION OR COMMUNITY RESIDENCE MAY ELECT TO BE EXEMPT FROM SUCH TIME OF
5 USE RATES OR CHARGES, AND MAY INSTEAD ELECT TO BE BILLED FOR ITS USAGE
6 OF SUCH SERVICE AT CONVENTIONAL RATES THAT DO NOT VARY WITH TIME OF USE.
7 S 2. This act shall take effect immediately.