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

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:

Section 1. Section 76 of the public service law, as amended by chapter 82 of the laws of 1998, is amended to read as follows:

S 76. Rates charged veteran organizations, religious bodies and community residences. No gas corporation, electric corporation or municipality shall, directly or indirectly, charge, demand, collect or receive from any post or hall owned or leased by a not-for-profit corporation that is a veterans' organization, or corporation or association organized and conducted in good faith for religious purposes, including the operation by such corporation or association of a school, notwithstanding that secular subjects are taught at such school, or from a community residence as defined in subdivision twenty-eight, twenty-eight-a or twenty-eight-b of section 1.03 of the mental hygiene law, provided, however, that such residence shall be operated by a not-for-profit corporation and if supervisory staff is on site on a twenty-four hour per day basis, that the residence provides living accommodations for fourteen or fewer residents, a rate, regardless of the type of service offered, for any gas or electric service utilized exclusively in connection with such veteran organization or for such religious purposes or utilized exclusively at such community residence greater than the rates or charges charged, demanded, collected or received by such gas corporation, electric corporation or municipality from domestic consumers receiving single-phase service within the same village, town or municipality. IN ADDITION, NOTWITHSTANDING THE PROVISION OF SUBDIVISION 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.

LBD05281-01-9

RATES OR CHARGES CHARGED, DEMANDED, COLLECTED OR RECEIVED BY SUCH GAS CORPORATION, ELECTRICAL CORPORATION OR MUNICIPALITY FROM SUCH DOMESTIC CONSUMERS ARE BASED UPON THE TIME OF USE, THEN SUCH CORPORATION, ASSOCIATION OR COMMUNITY RESIDENCE MAY ELECT TO BE EXEMPT FROM SUCH TIME OF USE RATES OR CHARGES, AND MAY INSTEAD ELECT TO BE BILLED FOR ITS USAGE OF SUCH SERVICE AT CONVENTIONAL RATES THAT DO NOT VARY WITH TIME OF USE.

S 2. This act shall take effect immediately.