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

7204

I N S E N A T E

March 22, 2010

Introduced by Sen. MAZIARZ -- 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 exempting religious organizations from the temporary state energy and utility service conservation assessment fee

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

Section 1. Paragraph (b) of subdivision 6 of section 18-a of the public service law, as added by section 4 of part NN of chapter 59 of the laws of 2009, is amended and a new paragraph (i) is added to read as follows:

(b) The temporary state energy and utility service conservation assessment shall be equal to two [percentum] PER CENTUM of the utility entity's gross operating revenues derived from intrastate utility operations in the last preceding calendar year, minus the amount, if any, that such utility entity is assessed pursuant to subdivisions one and two of this section for the corresponding state fiscal year period. With respect to the Long Island power authority, the temporary state energy and utility service conservation assessment shall be equal to one [percentum] PER CENTUM of such authority's gross operating revenues derived from intrastate utility operations in the last preceding calendar year. No corporation or person subject to the jurisdiction of the commission only with respect to safety, or the power authority of the state of New York, shall be subject to the temporary state energy and utility service conservation assessment provided for under this subdivision. Utility entities whose gross operating revenues from intrastate utility operations are five hundred thousand dollars or less in the preceding calendar year shall not be subject to the temporary state energy and utility service conservation assessment. RECEIPTS FROM REVENUES DERIVED FROM RELIGIOUS ORGANIZATIONS WHO ARE EXEMPT FROM TAXATION UNDER FEDERAL AND STATE LAW SHALL NOT BE SUBJECT TO SUCH ASSESSMENT. The minimum temporary state energy and utility service conservation assessment to be billed to any utility entity whose gross revenues from intra-

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

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state utility operations are in excess of five hundred thousand dollars in the preceding calendar year shall be two hundred dollars.

(I) NO PUBLIC UTILITY COMPANY OR OTHER UTILITY ENTITY SUBJECT TO THE PROVISIONS OF THIS SECTION SHALL CHARGE OR PASS ALONG THE AMOUNT OF ASSESSMENT IMPOSED UNDER THIS SECTION TO ANY RELIGIOUS ORGANIZATION IN THIS STATE WHICH IS EXEMPT FROM TAXATION UNDER STATE LAW OR FEDERAL LAW.

S 2. This act shall take effect immediately; provided that the amendments to subdivision 6 of section 18-a of the public service law made by section one of this act shall not affect the repeal of such subdivision and shall be deemed repealed therewith.