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

10551

I N A S S E M B L Y

April 5, 2010

Introduced by M. of A. JEFFRIES, BRODSKY -- (at request of the Office for the Aging) -- read once and referred to the Committee on Corporations, Authorities and Commissions

AN ACT to amend the public service law, in relation to the notice requirements pertaining to residential utility service to residential health care facilities, adult care facilities and assisted living residences

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

Section 1. Paragraphs (c) and (d) of subdivision 1 of section 33 of the public service law, as added by chapter 713 of the laws of 1981, are amended to read as follows:

(c) In addition to the notice prescribed by PARAGRAPH (a) or (b) [above] OF THIS SUBDIVISION, fifteen days written notice shall be (i) posted in the public areas of such multiple dwelling, (ii) mailed to the "Occupant" of each unit in that multiple dwelling, (iii) mailed to the local health officer and the director of the social services district for the political subdivision in which the multiple dwelling is located, (iv) if the multiple dwelling is located in a city or a village, mailed to the mayor thereof, or if there be none, to the manager, or, if the multiple dwelling is located in a town, then mailed to the town supervisor, [and] (v) mailed to the county executive of the county in which the multiple dwelling is located, or if there be none, then to the chairman of such county's legislative body, AND (VI) MAILED TO THE OFFICE OF THE NEW YORK STATE LONG TERM CARE OMBUDSMAN, IF THE MULTIPLE DWELLING IS A RESIDENTIAL HEALTH CARE FACILITY AS DEFINED IN SUBDIVISION THREE OF SECTION TWENTY-EIGHT HUNDRED ONE OF THE PUBLIC HEALTH LAW, AN ADULT CARE FACILITY AS DEFINED IN SUBDIVISION TWENTY-ONE OF SECTION TWO OF THE SOCIAL SERVICES LAW, OR AN ASSISTED LIVING RESIDENCE AS DEFINED IN SUBDIVISION ONE OF SECTION FORTY-SIX HUNDRED FIFTY-ONE OF THE PUBLIC HEALTH LAW AS ADDED BY CHAPTER TWO OF THE LAWS OF TWO THOUSAND FOUR. Notice required by SUBPARAGRAPHS (iv) and (v) of this paragraph may be mailed to the persons specified therein or to their respective designees. The notice required by this paragraph shall state the intended

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

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date of discontinuance of service, the amount due for such service, and the procedure by which any tenant or public agency may make such payment and thereby avoid discontinuance of service.

(d) The written notice required by [clauses] SUBPARAGRAPHS (iii), (iv) [and], (v) AND (VI) of paragraph (c) [above] OF THIS SUBDIVISION shall be repeated not more than four days nor less than two days prior to such discontinuance.

S 2. This act shall take effect on the thirtieth day after it shall have become a law.