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

5028

2009-2010 Regular Sessions

I N A S S E M B L Y

February 10, 2009

Introduced by M. of A. BRODSKY -- read once and referred to the Committee on Corporations, Authorities and Commissions

AN ACT to amend the public service law, in relation to requiring telegraph and telephone corporations to offer residential rates to religious organizations

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

Section 1. Subdivision 3 of section 92 of the public service law, as amended by chapter 124 of the laws of 1911, is amended to read as follows:

3. [No] (A) EXCEPT AS OTHERWISE PROVIDED IN PARAGRAPH (B) OF THIS SUBDIVISION, NO telegraph corporation or telephone corporation subject to the provisions of this chapter shall, directly or indirectly, give any free or reduced service, or any free pass or frank for the transmission of messages by either telephone or telegraph between points within this state, except to its officers, employees, agents, pensioners, surgeons, physicians, attorneys-at-law and their families; to persons or corporations exclusively engaged in charitable and eleemosynary work and ministers of religions; to officers and employees of other telegraph corporations and telephone corporations, railroad corporations and street railroad corporations. But this subdivision shall not apply to state, municipal or federal contracts.

(B) NO TELEGRAPH CORPORATION OR TELEPHONE CORPORATION SHALL, DIRECTLY OR INDIRECTLY, CHARGE, DEMAND, COLLECT OR RECEIVE A RATE, WHICH IS IN EXCESS OF THE APPLICABLE RESIDENTIAL RATE FOR THE TRANSMISSION OF MESSAGES BY EITHER TELEPHONE OR TELEGRAPH BETWEEN POINTS WITHIN THE STATE, FROM ANY CORPORATION OR ASSOCIATION ORGANIZED AND CONDUCTED IN GOOD FAITH FOR RELIGIOUS PURPOSES, INCLUDING THE OPERATION OF A SCHOOL REGARDLESS OF WHETHER SECULAR SUBJECTS ARE TAUGHT THEREIN, WHEN SUCH CORPORATION OR ASSOCIATION UTILIZES SUCH SERVICES IN CONNECTION WITH ITS RELIGIOUS PURPOSES.

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

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

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