

7204

I N   S E N A T E

March 22, 2010

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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:

1     Section 1. Paragraph (b) of subdivision 6 of section 18-a of the  
2     public service law, as added by section 4 of part NN of chapter 59 of  
3     the laws of 2009, is amended and a new paragraph (i) is added to read as  
4     follows:  
5     (b) The temporary state energy and utility service conservation  
6     assessment shall be equal to two [percentum] PER CENTUM of the utility  
7     entity's gross operating revenues derived from intrastate utility oper-  
8     ations in the last preceding calendar year, minus the amount, if any,  
9     that such utility entity is assessed pursuant to subdivisions one and  
10    two of this section for the corresponding state fiscal year period. With  
11    respect to the Long Island power authority, the temporary state energy  
12    and utility service conservation assessment shall be equal to one  
13    [percentum] PER CENTUM of such authority's gross operating revenues  
14    derived from intrastate utility operations in the last preceding calen-  
15    dar year. No corporation or person subject to the jurisdiction of the  
16    commission only with respect to safety, or the power authority of the  
17    state of New York, shall be subject to the temporary state energy and  
18    utility service conservation assessment provided for under this subdivi-  
19    sion. Utility entities whose gross operating revenues from intrastate  
20    utility operations are five hundred thousand dollars or less in the  
21    preceding calendar year shall not be subject to the temporary state  
22    energy and utility service conservation assessment. RECEIPTS FROM REVEN-  
23    UES DERIVED FROM RELIGIOUS ORGANIZATIONS WHO ARE EXEMPT FROM TAXATION  
24    UNDER FEDERAL AND STATE LAW SHALL NOT BE SUBJECT TO SUCH ASSESSMENT. The  
25    minimum temporary state energy and utility service conservation assess-  
26    ment 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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1 state utility operations are in excess of five hundred thousand dollars  
2 in the preceding calendar year shall be two hundred dollars.  
3 (I) NO PUBLIC UTILITY COMPANY OR OTHER UTILITY ENTITY SUBJECT TO THE  
4 PROVISIONS OF THIS SECTION SHALL CHARGE OR PASS ALONG THE AMOUNT OF  
5 ASSESSMENT IMPOSED UNDER THIS SECTION TO ANY RELIGIOUS ORGANIZATION IN  
6 THIS STATE WHICH IS EXEMPT FROM TAXATION UNDER STATE LAW OR FEDERAL LAW.  
7 S 2. This act shall take effect immediately; provided that the amend-  
8 ments to subdivision 6 of section 18-a of the public service law made by  
9 section one of this act shall not affect the repeal of such subdivision  
10 and shall be deemed repealed therewith.