

5138

2011-2012 Regular Sessions

I N A S S E M B L Y

February 14, 2011

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

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

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

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1 minimum temporary state energy and utility service conservation assess-
2 ment to be billed to any utility entity whose gross revenues from intra-
3 state utility operations are in excess of five hundred thousand dollars
4 in the preceding calendar year shall be two hundred dollars.

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

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12 and shall be deemed repealed therewith.