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

1780--A

2015-2016 Regular Sessions

I N S E N A T E

January 14, 2015

Introduced by Sen. ESPAILLAT -- read twice and ordered printed, and when printed to be committed to the Committee on Energy and Telecommunications -- recommitted to the Committee on Energy and Telecommunications in accordance with Senate Rule 6, sec. 8 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the public service law, in relation to making gas and electric billing information for residential rental premises available upon request

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

Section 1. The public service law is amended by adding a new section 66-o to read as follows:

S 66-O. GAS AND ELECTRIC BILLING INFORMATION FOR RESIDENTIAL RENTAL PREMISES. EVERY GAS CORPORATION, ELECTRIC CORPORATION AND MUNICIPALITY SHALL MAKE AVAILABLE TO ANY LANDLORD OR LESSOR OF RESIDENTIAL RENTAL PREMISES, WITHIN TEN DAYS OF RECEIPT OF A WRITTEN OR INTERNET REQUEST THEREFOR FROM ANY PROSPECTIVE TENANT OR LESSEE THEREOF, PRIOR TO THE COMMENCEMENT OF TENANCY OR EXECUTION OF A LEASE, INFORMATION CONSISTING OF THE AVERAGE MONTHLY CHARGES INCURRED AT SUCH PREMISES FOR GAS OR ELECTRIC SERVICE OR BOTH FOR THE LIFE OF THE DWELLING UNIT OR THE PRECEDING TWO YEAR PERIOD, WHICHEVER IS SHORTER. THE LETTER BY THE PROSPECTIVE TENANT OR LESSEE SHALL INCLUDE THEIR NAME, ADDRESS, DRIVER'S LICENSE NUMBER OR SOCIAL SECURITY NUMBER OR TAXPAYER IDENTIFICATION NUMBER OR NON-DRIVER ID CARD OR ANY OFFICIAL DOCUMENTED OR UNDOCUMENTED IMMIGRATION IDENTIFICATION, SIGNATURE, AND ACKNOWLEDGE THAT THIS BILLING INFORMATION REQUESTED MAY ONLY BE USED FOR THE PURPOSE OF DETERMINING PRIOR GAS AND ELECTRIC USAGE AS A FACTOR IN DECIDING TO OCCUPY THE DWELLING UNIT. EACH PROSPECTIVE TENANT OR LESSEE IS LIMITED TO A TOTAL OF FIVE REQUESTS IN A CALENDAR YEAR WITHIN THE STATE OF NEW YORK. SUCH INFORMATION SHALL BE IDENTIFIED SOLELY BY THE ADDRESS OF THE DWELLING

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

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UNIT, AND NO OTHER INFORMATION IDENTIFYING THE OWNER, LESSEE, OR OTHER OCCUPANT OF THE DWELLING UNIT SHALL BE UTILIZED FOR, OR MADE AVAILABLE IN CONNECTION WITH, THE FURNISHING OF BILLING INFORMATION PURSUANT TO THIS SECTION. SUCH INFORMATION SHALL BE FURNISHED TO BOTH THE LANDLORD OR LESSOR AND TO THE PROSPECTIVE TENANT OR LESSEE WITH AN IMPOSITION OF A FIVE DOLLAR CHARGE TO THE PROSPECTIVE TENANT OR LESSEE REQUESTING THE BILLING INFORMATION PAYABLE TO THE GAS CORPORATION, ELECTRIC CORPORATION AND MUNICIPALITY PROVIDING SUCH INFORMATION.

S 2. The public service commission is directed to: (a) create a process whereby a prospective tenant or lessee may obtain by written request or by the internet to the gas corporation, electric corporation and municipality the average monthly electric and gas charges for the life of the dwelling unit or the preceding two year period, whichever is shorter, prior to the commencement of tenancy or execution of a lease while maintaining the privacy of the current tenant or lessor; (b) ensure the request is made only for the purpose of deciding whether to occupy a dwelling unit; and (c) determine the cost of providing the information by the utility and assess a fee to the prospective tenant or lessee requesting the information payable to the gas corporation, electric corporation and municipality providing the information.

S 3. This act shall take effect on the one hundred twentieth day after it shall have become a law; provided that the public service commission is authorized to promulgate any and all rules and regulations and take any other measures necessary to implement this act on its effective date on or before such date.