

STATE OF NEW YORK

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IN ASSEMBLY

June 6, 2018

Introduced by COMMITTEE ON RULES -- (at request of M. of A. Otis, Paulin, Abinanti) -- read once and referred to the Committee on Corporations, Authorities and Commissions -- reported and referred to the Committee on Ways and Means -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- again reported from said committee with amendments, ordered reprinted as amended and recommitted to said committee -- again reported from said committee with amendments, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the public service law, in relation to providing water usage data to municipalities

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. Subdivision 6 of section 89-b of the public service law, as
2 added by chapter 114 of the laws of 1978, is amended to read as follows:

3 6. No water works corporation shall sell or offer for sale any list of
4 names of its customers. However, upon request by a municipality, a water
5 works corporation shall provide water usage data by property address to
6 such municipality where: (a) such municipality is within the service
7 territory of such water works corporation; (b) such data shall only be
8 used for municipal purposes related to the financing of clean, storm or
9 drinking water infrastructure projects and service; and (c) the
10 provision of such data shall be pursuant to a written agreement between
11 the water works corporation and the municipality which adequately
12 provides for customer privacy safeguards and is approved by the commis-
13 sion. The water works corporation may provide for reimbursement of any
14 nominal administrative costs which result from this provision of data in
15 the written agreement. Property water usage data shall be used solely
16 for the calculation of assessments or bills for municipal services for
17 which water usage is a relevant indicator of the cost of such municipal
18 services and such data information shall not be sold or shared with any
19 other person or corporation. If a private vendor is used by the munici-
20 pality in association with such municipal purposes, the restrictions
21 related to municipalities on sale or sharing of water usage data shall

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

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1 apply to such private vendor. Upon request by a municipality, the
2 commission may commence a proceeding to: (a) establish a written agree-
3 ment between the municipality and a water works corporation; or (b)
4 review any written agreement entered into between the municipality and a
5 water works corporation, and make any modifications to such agreement as
6 would be in the public interest. Any agency, as defined under section
7 eighty-six of the public officers law, shall not disclose any personally
8 identifiable information contained within such water usage data to the
9 public. For purposes of this subdivision, "municipality" shall only
10 include the cities of New Rochelle and Rye; the towns of Eastchester,
11 Greenburgh, and Mount Pleasant; and the villages of Ardsley, Bronxville,
12 Dobbs Ferry, Hastings-on-Hudson, Pelham, Pelham Manor, Port Chester, Rye
13 Brook, and Tuckahoe.

14 § 2. This act shall take effect immediately.