STATE OF NEW YORK

8940--A

IN ASSEMBLY

January 8, 2018

Introduced by M. of A. SANTABARBARA -- read once and referred to the Committee on Agriculture -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the agriculture and markets law, in relation to authorizing the delivery of liquefied petroleum gas in times of emergency

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

Section 1. Section 192-e of the agriculture and markets law is amended by adding a new subdivision 6-a to read as follows:

6-a. (a) Notwithstanding any other law, rule or regulation to the contrary, a person, firm, limited liability company or corporation who is not the owner of a liquefied petroleum gas cylinder, container or receptacle may fill, refill or otherwise deliver liquefied petroleum gas into such liquefied petroleum gas cylinder, container or receptacle, provided, such cylinder, container or receptacle and devices and associated pipelines operating off of such cylinder, container, or receptacle has been inspected and certified as required by law or regulation, when:

(i) a consumer has acted in good faith under an existing contract to procure delivery of liquefied petroleum gas from the owner of a liquefied petroleum gas cylinder, container or receptacle, but has not received liquefied petroleum gas in a reasonable time; and

(ii) a federal, state or local state of emergency has been declared; or

(iii) severe weather or any other similar circumstances may result in individuals being placed in imminent danger of death or injury or building structures and/or its fixtures at risk of significant damage.

(b) Any person, firm, limited liability company or corporation who fills, refills or otherwise delivers liquefied petroleum gas or owns such a gas cylinder, container or receptacle is not permitted to charge any penalty or fee in addition to any standard filling, refilling or delivery fee pursuant to this subdivision.

(c) Nothing in this subdivision shall be deemed to restrict the owner of a liquefied petroleum gas cylinder, container or receptacle from procuring liquefied petroleum gas from any seller.

§ 2. This act shall take effect immediately.

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

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