STATE OF NEW YORK

8999--B

IN SENATE

June 12, 2018

Introduced by Sen. MAYER -- read twice and ordered printed, and when printed to be committed to the Committee on Rules -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- committee discharged, bill amended, 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:

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

6. No water works corporation shall sell or offer for sale any list of names of its customers. **However, upon request by a municipality, a water works corporation shall provide water usage data by property address to such municipality where: (a) such municipality is within the service territory of such water works corporation; (b) such data shall only be used for municipal purposes related to the financing of clean, storm or drinking water infrastructure projects and service; and (c) the provision of such data shall be pursuant to a written agreement between the water works corporation and the municipality which adequately provides for customer privacy safeguards and is approved by the commission. The water works corporation may provide for reimbursement of any nominal administrative costs which result from this provision of data in the written agreement. Property water usage data shall be used solely for the calculation of assessments or bills for municipal services for which water usage is a relevant indicator of the cost of such municipal services and such data information shall not be sold or shared with any other person or corporation. If a private vendor is used by the municipality in association with such municipal purposes, the restrictions related to municipalities on sale or sharing of water usage data shall apply to such private vendor. Upon request by a municipality, the commission may commence a proceeding to: (a) establish a written agreement between the municipality and a water works corporation; or (b) review any written agreement entered into between the municipality and a**

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

LBD16218-10-8

water works corporation, and make any modifications to such agreement as would be in the public interest. Any agency, as defined under section eighty-six of the public officers law, shall not disclose any personally identifiable information contained within such water usage data to the public. For purposes of this subdivision, "municipality" shall only include the cities of New Rochelle and Rye; the towns of Eastchester, Greenburgh, and Mount Pleasant; and the villages of Ardsley, Bronxville, Dobbs Ferry, Hastings-on-Hudson, Pelham, Pelham Manor, Port Chester, Rye Brook, and Tuckahoe.

§ 2. This act shall take effect immediately.