STATE OF NEW YORK

5322

2019-2020 Regular Sessions

IN SENATE

April 25, 2019

Introduced by Sen. PARKER -- read twice and ordered printed, and when printed to be committed to the Committee on Energy and Telecommunications

AN ACT to amend the public service law, in relation to requiring the release of individuals from utility corporation services in instances of domestic violence

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 48-a to read as follows:

§ 48-a. Utility services; domestic violence victims. Every utility corporation shall allow a person who is under a shared contract with such utility corporation and who is a victim of domestic violence, to opt-out of such contract without charge when such person requests to opt-out in writing and provides to such utility corporation any of the following documents, which shall relate to such domestic violence, within six months of the document's issuance: (a) a valid domestic violence incident report form, as such term is defined in subdivision fifteen of section eight hundred thirty-seven of the executive law; (b) a valid police report; (c) a valid order of protection; (d) a signed affidavit from a licensed medical or mental health care provider, employee of a court acting within the scope of his or her employment, social worker, a rape crisis counselor, as defined in section forty-five hundred ten of the civil practice law and rules, or advocate acting on behalf of an agency that assists domestic violence victims. A claim for opting-out of such contract without charge shall be made in good faith. Such utility corporation shall waive the otherwise applicable charges for such person requesting to opt-out of such contract.

§ 2. This act shall take effect immediately and shall apply to contracts entered into on and after such effective date.

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

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