STATE OF NEW YORK

2012--A

Cal. No. 453

2021-2022 Regular Sessions

IN SENATE

January 16, 2021

Introduced by Sens. JACKSON, BIAGGI, GOUNARDES, LIU -- read twice and ordered printed, and when printed to be committed to the Committee on Housing, Construction and Community Development -- recommitted to the Committee on Housing, Construction and Community Development in accordance with Senate Rule 6, sec. 8 -- reported favorably from said committee, ordered to first and second report, ordered to a third reading, passed by Senate and delivered to the Assembly, recalled, vote reconsidered, restored to third reading, amended and ordered reprinted, retaining its place in the order of third reading

AN ACT to amend the administrative code of the city of New York, the emergency tenant protection act of nineteen seventy-four and the emergency housing rent control law, in relation to prohibiting surcharges for the installation or use of air conditioner units in housing accommodations subject to rent regulation

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

Section 1. The administrative code of the city of New York is amended by adding a new section 26-417 to read as follows:

§ 26-417 Surcharges for tenant-installed air conditioner units; prohibited. The imposition of any surcharge for the installation and use of a tenant-installed air conditioner unit is prohibited where the tenant pays for electric utility service.

§ 2. Section 6 of section 4 of chapter 576 of the laws of 1974, constituting the emergency tenant protection act of nineteen seventy-four, is amended by adding a new subdivision g to read as follows:

g. No owner of a housing accommodation subject to the provisions of this section shall impose any surcharge for the installation and use of a tenant-installed air conditioner unit where the tenant pays for electric utility service.

§ 3. Section 26-512 of the administrative code of the city of New York is amended by adding a new subdivision f to read as follows:

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

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f. No owner of a housing accommodation subject to the provisions of this law shall impose any surcharge for the installation and use of a tenant-installed air conditioner unit where the tenant pays for electric utility service.

§ 4. Subdivision 4 of section 4 of chapter 274 of the laws of 1946, constituting the emergency housing rent control law, is amended by adding a new paragraph (g) to read as follows:

(g) No owner of a housing accommodation subject to the provisions of this law shall impose any surcharge for the installation and use of a tenant-installed air conditioner unit where the tenant pays for electric utility service.

§ 5. This act shall take effect immediately; provided that: (a) section 26-417 of the city rent and rehabilitation law as added by section one of this act shall remain in full force and effect only as long as the public emergency requires the regulation and control of residential rents and evictions continues, as provided in subdivision 3 of section 1 of the local emergency housing rent control act; and

(b) the amendments to section 26-512 of chapter 4 of title 26 of the administrative code of the city of New York, made by section three of this act shall expire on the same date as such law expires and shall not affect the expiration of such law as provided under section 26-520 of such law.