

STATE OF NEW YORK

5325

2021-2022 Regular Sessions

IN SENATE

March 2, 2021

Introduced by Sen. HOYLMAN -- 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 and the general business law, in relation to requiring utility corporations, municipalities, water-works corporations, and telephone service providers to allow customers to use their preferred name and pronouns

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

1 Section 1. The public service law is amended by adding a new section
2 31-a to read as follows:

3 § 31-a. Use of preferred name and pronouns. 1. Every utility corpo-
4 ration or municipality shall provide applicants for residential service
5 and residential customers with a convenient option to request that the
6 utility corporation or municipality use their preferred name and/or
7 preferred pronouns in all written or oral communications between the
8 utility corporation or municipality and the applicant or customer, as
9 well as all statements or documentation relating to a customer's resi-
10 dential service, regardless of whether such applicant or customer's
11 preferred name differs from their current legal name.

12 2. If an applicant or customer's preferred name differs from their
13 current legal name, a utility corporation or municipality may require
14 such applicant or customer to provide reasonable proof of identity using
15 their legal name, provided that such information shall be used solely to
16 verify the applicant or customer's identity or for other purposes
17 required by law.

18 3. No utility corporation or municipality shall:

19 (a) willfully and repeatedly fail to use an applicant or customer's
20 preferred name and/or preferred pronouns after being clearly informed of
21 the preferred name and/or preferred pronouns pursuant to subdivision one
22 of this section; or

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

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1 (b) require an applicant or customer to specify their sexual orien-
2 tation or gender identity or expression in order to use their preferred
3 name and/or preferred pronouns.

4 § 2. Section 89-b of the public service law is amended by adding a new
5 subdivision 12 to read as follows:

6 12. (a) Every water-works corporation shall provide customers with a
7 convenient option to request that the water-works corporation use their
8 preferred name and/or preferred pronouns in all written or oral communi-
9 cations between the water-works corporation and the customer, as well as
10 all statements or documentation relating to a customer's water service,
11 regardless of whether such customer's preferred name differs from their
12 current legal name.

13 (b) If a customer's preferred name differs from their current legal
14 name, a water-works corporation may require such customer to provide
15 reasonable proof of identity using their legal name, provided that such
16 information shall be used solely to verify the customer's identity or
17 for other purposes required by law.

18 (c) No water-works corporation shall:

19 (i) willfully and repeatedly fail to use a customer's preferred name
20 and/or preferred pronouns after being clearly informed of the preferred
21 name and/or preferred pronouns pursuant to paragraph (a) of this subdivi-
22 vision; or

23 (ii) require a customer to specify their sexual orientation or gender
24 identity or expression in order to use their preferred name and/or
25 preferred pronouns.

26 § 3. The general business law is amended by adding a new section 399-
27 zzzzz to read as follows:

28 § 399-zzzzz. Use of preferred name and pronouns. 1. For the purposes
29 of this section, "telephone service provider" means any company that
30 provides voice service utilizing any technology, regardless of whether
31 such provider is regulated pursuant to the public service law.

32 2. Every telephone service provider shall provide customers with a
33 convenient option to request that the telephone service provider use
34 their preferred name and/or preferred pronouns in all written or oral
35 communications between the telephone service provider and the customer,
36 as well as all statements or documentation relating to a customer's
37 telephone service, regardless of whether such customer's preferred name
38 differs from their current legal name.

39 3. If a customer's preferred name differs from their current legal
40 name, a telephone service provider may require such customer to provide
41 reasonable proof of identity using their legal name, provided that such
42 information shall be used solely to verify the customer's identity or
43 for other purposes required by law.

44 4. No telephone service provider shall:

45 (a) willfully and repeatedly fail to use a customer's preferred name
46 and/or preferred pronouns after being clearly informed of the preferred
47 name and/or preferred pronouns pursuant to subdivision two of this
48 section; or

49 (b) require a customer to specify their sexual orientation or gender
50 identity or expression in order to use their preferred name and/or
51 preferred pronouns.

52 § 4. This act shall take effect on the thirtieth day after it shall
53 have become a law. Effective immediately, the addition, amendment
54 and/or repeal of any rule or regulation necessary for the implementation
55 of this act on its effective date are authorized to be made and
56 completed on or before such effective date.