

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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(b) require an applicant or customer to specify their sexual orientation or gender identity or expression in order to use their preferred name and/or preferred pronouns.

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

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

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

(c) No water-works corporation shall:

(i) willfully and repeatedly fail to use a customer's preferred name and/or preferred pronouns after being clearly informed of the preferred name and/or preferred pronouns pursuant to paragraph (a) of this subdivision; or

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

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

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

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

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

4. No telephone service provider shall:

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

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

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