STATE OF NEW YORK

1085

2021-2022 Regular Sessions

IN SENATE

January 6, 2021

Introduced by Sens. GAUGHRAN, KAPLAN -- 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 false material statements related to a public utility

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

Section 1. Section 25 of the public service law is amended by adding a new subdivision 4-a to read as follows:

4-a. (a) Notwithstanding the provisions of subdivision one or two of this section, any public utility company or corporation, and the officers, agents or employees thereof that knowingly makes a false material statement, representation or certification to the commission in any rate proceeding shall forfeit to the state of New York a sum not to exceed two hundred fifty thousand dollars. Each false material statement, representation or certification shall constitute a separate and distinct offense for purposes of this section.

(b) A public utility company or corporation, and the officers, agents or employees thereof that discover that a false material statement, representation or certification was previously made to the commission in relation to a rate proceeding shall disclose such false material statement, representation or certification to the commission within three business days of discovery. Failure to make such disclosure shall constitute a knowing violation of this subdivision and shall cause such public utility company or corporation and the officers, agents or employees thereof to be liable for forfeiture pursuant to this subdivision.

§ 2. This act shall take effect immediately.

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

LBD03989-01-1