

STATE OF NEW YORK

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Cal. No. 923

IN SENATE

March 7, 2022

Introduced by Sens. PARKER, CLEARE, GAUGHRAN -- read twice and ordered printed, and when printed to be committed to the Committee on Energy and Telecommunications -- reported favorably from said committee, ordered to first and second report, ordered to a third reading, amended and ordered reprinted, retaining its place in the order of third reading -- again amended and ordered reprinted, retaining its place in the order of third reading

AN ACT to amend the public service law, in relation to establishing discount programs for low-income senior citizens and individuals with a disability

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 66-t to read as follows:

3 § 66-t. Utility discount program. 1. (a) Notwithstanding any other
4 provision of law, the commission is authorized and directed to require a
5 gas corporation, electric corporation or municipality to establish a
6 discount program for low-income senior citizens and individuals with a
7 disability no later than ninety days after the effective date of this
8 section. Such program shall offer a yearly benefit to low-income senior
9 citizens and individuals with a disability in the form of a ten percent
10 discount on utility bills. The fiscal impact of such program shall not
11 be borne by customers and shall not be added to bills rendered by a gas
12 corporation, electric corporation or municipality to customers.

13 (b) A gas corporation, electric corporation or municipality which
14 offers such discount program shall conspicuously advertise the avail-
15 ability and amount of such discount on the website of such gas corpo-
16 ration, electric corporation or municipality. The availability and
17 amount of such discount shall also be conspicuously advertised on the
18 accessibility page of the website of such gas corporation, electric
19 corporation or municipality.

20 2. For the purposes of this section:

21 (a) "individuals with a disability" shall mean a primary named utility
22 service, water service, or telephone service acountholder (i) with a

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

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1 disability, as defined in subdivision twenty-one of section two hundred
2 ninety-two of the executive law; and (ii) who has had a total household
3 income of less than fifty thousand dollars for the most recent two
4 consecutive income tax years beginning in two thousand nineteen, as
5 verified by the department of taxation and finance; and (iii) who is
6 currently receiving (A) social security disability insurance (SSDI), (B)
7 supplemental security income (SSI) benefits under the federal social
8 security act, (C) disability pension or disability compensation benefits
9 provided by the United States department of veterans affairs, (D) disa-
10 bility pension or disability compensation benefits provided by the
11 United States Postal Service, or (E) those previously eligible by virtue
12 of receiving disability benefits under the supplemental security income
13 program or the social security disability program and currently receiv-
14 ing medical assistance benefits based on determination of disability as
15 provided in section three hundred sixty-six of the social services law;
16 and

17 (b) "low-income senior citizen" shall mean a primary named utility
18 service, water service, or telephone service accountholder who (i) is at
19 least sixty-five years of age; and (ii) either (A) has had a total
20 household income of less than fifty thousand dollars for two consecutive
21 income tax years beginning in two thousand nineteen, as verified by the
22 department of taxation and finance; or (B) is annually eligible to
23 receive assistance under the emergency rental assistance program (ERAP)
24 or the home energy assistance program (HEAP) and provides proof of
25 eligibility from the agency administering ERAP or HEAP.

26 § 2. The public service law is amended by adding a new section 89-q to
27 read as follows:

28 § 89-q. Water discount program. 1. (a) Notwithstanding any other
29 provision of law, the commission is authorized and directed to require
30 waterworks corporations and municipal water systems to establish a
31 discount program for low-income senior citizens and individuals with a
32 disability no later than ninety days after the effective date of this
33 section. Such program shall offer a yearly benefit to low-income senior
34 citizens and individuals with a disability in the form of a ten percent
35 discount on water utility bills. The fiscal impact of such program shall
36 not be borne by customers and shall not be added to bills rendered by a
37 waterworks corporation or municipal water system to customers.

38 (b) A waterworks corporation or municipal water system which offers
39 such discount program shall conspicuously advertise the availability and
40 amount of such discount on the website of such waterworks corporations
41 or municipal water system. The availability and amount of such discount
42 shall also be conspicuously advertised on the accessibility page of the
43 website of such waterworks corporation or municipal water system.

44 2. For the purposes of this section:

45 (a) "individuals with a disability" shall mean a primary named utility
46 service, water service, or telephone service accountholder (i) with a
47 disability, as defined in subdivision twenty-one of section two hundred
48 ninety-two of the executive law; and (ii) who has had a total household
49 income of less than fifty thousand dollars for the most recent two
50 consecutive income tax years beginning in two thousand nineteen, as
51 verified by the department of taxation and finance; and (iii) who is
52 currently receiving (A) social security disability insurance (SSDI), (B)
53 supplemental security income (SSI) benefits under the federal social
54 security act, (C) disability pension or disability compensation benefits
55 provided by the United States department of veterans affairs, (D) disa-
56 bility pension or disability compensation benefits provided by the

United States Postal Service, or (E) those previously eligible by virtue of receiving disability benefits under the supplemental security income program or the social security disability program and currently receiving medical assistance benefits based on determination of disability as provided in section three hundred sixty-six of the social services law; and

(b) "low-income senior citizen" shall mean a primary named utility service, water service, or telephone service accountholder who (i) is at least sixty-five years of age; and (ii) either (A) has had a total household income of less than fifty thousand dollars for two consecutive income tax years beginning in two thousand nineteen, as verified by the department of taxation and finance; or (B) is annually eligible to receive assistance under the emergency rental assistance program (ERAP) or the home energy assistance program (HEAP) and provides proof of eligibility from the agency administering ERAP or HEAP.

§ 3. The public service law is amended by adding a new section 91-b to read as follows:

§ 91-b. Telephone discount program. 1. (a) Notwithstanding any other provision of law, the commission is authorized and directed to require a telephone corporation to establish a discount program for low-income senior citizens and individuals with a disability no later than ninety days after the effective date of this section. Such program shall offer a yearly benefit to low-income senior citizens and individuals with a disability in the form of a ten percent discount on telephone bills. The fiscal impact of such program shall not be borne by customers and shall not be added to bills rendered by a telephone corporation to customers.

(b) A telephone corporation which offers such discount program shall conspicuously advertise the availability and amount of such discount on the website of such telephone corporation. The availability and amount of such discount shall also be conspicuously advertised on the accessibility page of the website of such telephone corporation.

(c) Participation in the federal government's lifeline or affordable connectivity program, or any successor program the commission shall deem sufficient, shall satisfy the telephone corporation's obligation to establish a discount program under paragraph (a) of this subdivision, unless the commission deems it insufficient to satisfy such requirements.

(d) Before applying a discount under paragraph (a) of this subdivision, a telephone corporation may require proof of eligibility from the primary named accountholder for the calendar year in which the discount is sought.

2. For the purposes of this section:

(a) "individuals with a disability" shall mean a primary named utility service, water service, or telephone service accountholder (i) with a disability, as defined in subdivision twenty-one of section two hundred ninety-two of the executive law; and (ii) who has had a total household income of less than fifty thousand dollars for the most recent two consecutive income tax years beginning in two thousand nineteen, as verified by the department of taxation and finance; and (iii) who is currently receiving (A) social security disability insurance (SSDI), (B) supplemental security income (SSI) benefits under the federal social security act, (C) disability pension or disability compensation benefits provided by the United States department of veterans affairs, (D) disability pension or disability compensation benefits provided by the United States Postal Service, or (E) those previously eligible by virtue of receiving disability benefits under the supplemental security income

1 program or the social security disability program and currently receiv-
2 ing medical assistance benefits based on determination of disability as
3 provided in section three hundred sixty-six of the social services law;
4 and

5 (b) "low-income senior citizen" shall mean a primary named telephone
6 service accountholder who (i) is at least sixty-five years of age; and
7 (ii) either (A) has had a total household income of less than fifty
8 thousand dollars for two consecutive income tax years beginning in two
9 thousand nineteen, as verified by the department of taxation and
10 finance; or (B) is annually eligible to receive assistance under the
11 emergency rental assistance program (ERAP) or the home energy assist-
12 ance program (HEAP) and provides proof of eligibility from the agency
13 administering ERAP or HEAP.

14 § 4. The public service law is amended by adding a new section 224-d
15 to read as follows:

16 § 224-d. Cable discount program. 1. (a) Notwithstanding any other
17 provision of law, the commission is authorized and directed to require a
18 telephone corporation, as defined in subdivision seventeen of section
19 two of this chapter, and a cable television company, as defined in
20 section two hundred twelve of this article, that provides cable service
21 to customers in New York, to establish a discount program for low-income
22 senior citizens and individuals with a disability no later than ninety
23 days after the effective date of this section. Such program shall offer
24 a yearly benefit to low-income senior citizens and individuals with a
25 disability in the form of a ten percent discount on cable bills. The
26 fiscal impact of such program shall not be borne by customers and shall
27 not be added to bills rendered by a telephone corporation or cable tele-
28 vision company to customers.

29 (b) A telephone corporation or cable television company which offers
30 such discount program shall conspicuously advertise the availability and
31 amount of such discount on the website of such telephone corporation or
32 cable television company. The availability and amount of such discount
33 shall also be conspicuously advertised on the accessibility page of the
34 website of such telephone corporation or cable television company.

35 (c) Participation in the federal government's lifeline or affordable
36 connectivity program, or any successor program the commission shall deem
37 sufficient, shall satisfy the telephone corporation's or cable tele-
38 vision company's obligation to establish a discount program under para-
39 graph (a) of this subdivision, unless the commission deems it insuffi-
40 cient to satisfy such requirements.

41 (d) Before applying a discount under paragraph (a) of this subdivi-
42 sion, a telephone corporation or cable television company may require
43 proof of eligibility from the primary named accountholder for the calen-
44 dar year in which the discount is sought.

45 2. For the purposes of this section:

46 (a) "individuals with a disability" shall mean a primary named utility
47 service, water service, or telephone service accountholder (i) with a
48 disability, as defined in subdivision twenty-one of section two hundred
49 ninety-two of the executive law; and (ii) who has had a total household
50 income of less than fifty thousand dollars for the most recent two
51 consecutive income tax years beginning in two thousand nineteen, as
52 verified by the department of taxation and finance; and (iii) who is
53 currently receiving (A) social security disability insurance (SSDI), (B)
54 supplemental security income (SSI) benefits under the federal social
55 security act, (C) disability pension or disability compensation benefits
56 provided by the United States department of veterans affairs, (D) disa-

1 bility pension or disability compensation benefits provided by the
2 United States Postal Service, or (E) those previously eligible by virtue
3 of receiving disability benefits under the supplemental security income
4 program or the social security disability program and currently receiv-
5 ing medical assistance benefits based on determination of disability as
6 provided in section three hundred sixty-six of the social services law;
7 and

8 (b) "low-income senior citizen" shall mean a primary named utility
9 service, water service, or telephone service accountholder who (i) is at
10 least sixty-five years of age; and (ii) either (A) has had a total
11 household income of less than fifty thousand dollars for two consecutive
12 income tax years beginning in two thousand nineteen, as verified by the
13 department of taxation and finance; or (B) is annually eligible to
14 receive assistance under the emergency rental assistance program (ERAP)
15 or the home energy assistance program (HEAP) and provides proof of
16 eligibility from the agency administering ERAP or HEAP.

17 § 5. This act shall take effect immediately.