

# STATE OF NEW YORK

1851

2023-2024 Regular Sessions

## IN ASSEMBLY

January 23, 2023

Introduced by M. of A. JEAN-PIERRE -- read once and referred to the  
Committee on Corporations, Authorities and Commissions

AN ACT to amend the public service law, in relation to severe weather  
emergency response plans

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

1 Section 1. The public service law is amended by adding a new section  
2 28 to read as follows:

3 § 28. Severe weather emergency response plans. 1. Any public utility  
4 authority, utility corporation, telecommunication carrier pursuant to 47  
5 U.S.C. § 214(e), or internet or broadband provider, operating within the  
6 bounds of any county that is required to have a local comprehensive  
7 emergency management plan shall create, with assistance from the appro-  
8 priate local county office charged with emergency response and manage-  
9 ment, a severe weather emergency response plan and shall participate  
10 with any county they operate within in a biannual disaster drill.

11 2. The purpose of such plans shall be to minimize the effect of disas-  
12 ters caused by severe weather by (a) identifying appropriate measures to  
13 prevent disasters, (b) developing mechanisms to coordinate the use of  
14 resources and manpower for service during and after disasters and the  
15 delivery of services to aid and reduce human suffering resulting from a  
16 disaster, and (c) providing for recovery and restoration of service  
17 after disasters.

18 3. Such emergency response plans shall include, but not be limited to:  
19 (a) Disaster prevention and mitigation. Plans to prevent and minimize  
20 the effects of disasters shall include, but not be limited to:

21 (i) identification of hazards and assessment of risk;  
22 (ii) recommended disaster prevention and mitigation projects, poli-  
23 cies, priorities and programs, with suggested implementation schedules;  
24 and

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

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1 (iii) such other measures as reasonably can be taken to protect lives,  
2 prevent disasters, and reduce their impact.

3 (b) Disaster response. Plans to coordinate the use of resources and  
4 manpower for service during and after disasters and to deliver services  
5 to aid and reduce human suffering resulting from a disaster shall  
6 include, but not be limited to:

7 (i) coordination of resources, manpower and services, using recognized  
8 practices in incident management, utilizing existing organizations and  
9 lines of authority and centralized direction of requests for assistance;

10 (ii) the location, procurement, construction, processing, transporta-  
11 tion, storing, maintenance, renovation, distribution, disposal or use of  
12 materials;

13 (iii) a system for warning populations who are or may be endangered;

14 (iv) a specific plan for rapid and efficient communication, including  
15 the assignment of responsibilities and the establishment of communi-  
16 cation priorities and liaison with municipal, state and federal govern-  
17 ments;

18 (v) criteria for establishing priorities with respect to the restora-  
19 tion of vital services and debris removal;

20 (vi) providing information to the public; and

21 (vii) procedures under which the county, city, town, village or other  
22 political subdivision will be contacted in the event of a disaster.

23 (c) Recovery. Plans to provide for recovery and restoration of service  
24 after disasters shall include, but not be limited to:

25 (i) recommendations for replacement, reconstruction, removal or relo-  
26 cation of damaged or destroyed facilities, infrastructure, or equipment,  
27 and proposed recommendations to minimize the impact of any potential  
28 future disasters;

29 (ii) provisions for cooperation with local, state, and federal agen-  
30 cies in recovery efforts; and

31 (iii) provisions for educating local disaster officials or organiza-  
32 tions on the severe weather emergency response plan.

33 § 2. This act shall take effect on the sixtieth day after it shall  
34 have become a law.