STATE OF NEW YORK

3746

2023-2024 Regular Sessions

IN ASSEMBLY

February 7, 2023

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

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.

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