

# STATE OF NEW YORK

4055--A

2023-2024 Regular Sessions

## IN ASSEMBLY

February 9, 2023

Introduced by M. of A. JACOBSON, EACHUS, GUNTHER, SHRESTHA, GALLAGHER, ARDILA, BUTTENSCHON, COLTON, SHIMSKY, THIELE, SEAWRIGHT, CLARK, DICKENS, MILLER, BRABENEC, K. BROWN, SIMON, RAGA, SANTABARBARA -- read once and referred to the Committee on Corporations, Authorities and Commissions -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the public service law, in relation to the finality of certain utility charges and the contents of utility bills

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

1 Section 1. Subdivision 1 of section 41 of the public service law, as  
2 added by chapter 713 of the laws of 1981, is amended to read as follows:  
3 1. Notwithstanding any other provision of law, no utility corporation  
4 or municipality [~~may~~] shall charge a residential customer for gas or  
5 electric service which was rendered more than [~~six~~] two months prior to  
6 the mailing of the first bill to the customer for such service unless  
7 the failure of the corporation or municipality to bill sooner was not  
8 due to the neglect of the corporation or municipality or was due to the  
9 culpable conduct of the customer. If the customer remains liable for  
10 such service, the utility shall permit payments to be made under an  
11 installment payment plan, provided, however, that the utility or municipi-  
12 pality may require prompt payment if the non-billing resulted from the  
13 culpable conduct of the customer. Any such installment payment plan may  
14 provide for a downpayment of up to one-half of the amounts due from the  
15 customer, or three months average billing, whichever is less.

16 § 2. The public service law is amended by adding a new section 41-a to  
17 read as follows:

18 § 41-a. Finality of charges; non-residential customers. Notwithstand-  
19 ing any other provision of law, no utility corporation or municipality  
20 shall charge a non-residential customer for gas or electric service  
21 which was rendered more than two months prior to the mailing of the

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

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1 first bill to the customer for such service unless the failure of the  
2 corporation or municipality to bill sooner was not due to the negligence  
3 or neglect of the corporation or municipality or was due to the culpable  
4 conduct of the customer.

5 § 3. Section 44 of the public service law is amended by adding a new  
6 subdivision 7 to read as follows:

7 7. As part of every billing, the utility corporation or municipality  
8 shall provide both in graph and written form, for the prior two years of  
9 the customer or the prior customers at the same address, the monthly  
10 usage of the customer, the monthly unit charges for usage, and the  
11 monthly billing charge amount to the customer. This requirement shall  
12 apply to both residential and non-residential customers.

13 § 4. This act shall take effect on the first of January next succeed-  
14 ing the date upon which it shall have become a law.