STATE OF NEW YORK

5329

2023-2024 Regular Sessions

IN ASSEMBLY

March 7, 2023

Introduced by M. of A. CUNNINGHAM -- read once and referred to the Committee on Energy

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:

Section 1. The public service law is amended by adding a new section 66-u to read as follows:

§ 66-u. Utility discount program. 1. (a) Notwithstanding any other provision of law, the commission is authorized and directed to require a gas corporation, electric corporation or municipality 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 utility bills. The fiscal impact of such program shall not be borne by customers and shall not be added to bills rendered by a gas corporation, electric corporation or municipality to customers.

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

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

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

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income of less than fifty thousand dollars for the most recent two consecutive income tax years beginning in two thousand twenty, 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 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 twenty, 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.

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

§ 89-q. Water discount program. 1. (a) Notwithstanding any other provision of law, the commission is authorized and directed to require waterworks corporations and municipal water systems 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 water utility bills. The fiscal impact of such program shall not be borne by customers and shall not be added to bills rendered by a waterworks corporation or municipal water system to customers.

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

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 twenty, 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

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 twenty, 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 twenty, 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 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 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 twenty, 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.

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

§ 224-d. Cable discount program. 1. (a) Notwithstanding any other provision of law, the commission is authorized and directed to require a telephone corporation, as defined in subdivision seventeen of section two of this chapter, and a cable television company, as defined in section two hundred twelve of this article, that provides cable service to customers in New York, 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 cable 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 or cable television company to customers.

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

(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 or cable television company'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 or cable television company 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 twenty, 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 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 twenty, 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.

§ 5. This act shall take effect immediately.