

STATE OF NEW YORK

1204

2023-2024 Regular Sessions

IN SENATE

January 10, 2023

Introduced by Sen. PARKER -- read twice and ordered printed, and when printed to be committed to the Committee on Energy and Telecommunications

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 account holder (i) with a disability, as defined in subdivision twenty-one of section two hundred

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

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

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

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

27 § 89-q. Water discount program. 1. (a) Notwithstanding any other
28 provision of law, the commission is authorized and directed to require
29 waterworks corporations and municipal water systems to establish a
30 discount program for low-income senior citizens and individuals with a
31 disability no later than ninety days after the effective date of this
32 section. Such program shall offer a yearly benefit to low-income senior
33 citizens and individuals with a disability in the form of a ten percent
34 discount on water utility bills. The fiscal impact of such program shall
35 not be borne by customers and shall not be added to bills rendered by a
36 waterworks corporation or municipal water system to customers.

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

43 2. For the purposes of this section:

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

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

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

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

17 § 91-b. Telephone discount program. 1. (a) Notwithstanding any other
18 provision of law, the commission is authorized and directed to require a
19 telephone corporation to establish a discount program for low-income
20 senior citizens and individuals with a disability no later than ninety
21 days after the effective date of this section. Such program shall offer
22 a yearly benefit to low-income senior citizens and individuals with a
23 disability in the form of a ten percent discount on telephone bills. The
24 fiscal impact of such program shall not be borne by customers and shall
25 not be added to bills rendered by a telephone corporation to customers.

26 (b) A telephone corporation which offers such discount program shall
27 conspicuously advertise the availability and amount of such discount on
28 the website of such telephone corporation. The availability and amount
29 of such discount shall also be conspicuously advertised on the accessi-
30 bility page of the website of such telephone corporation.

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

37 (d) Before applying a discount under paragraph (a) of this subdivi-
38 sion, a telephone corporation may require proof of eligibility from the
39 primary named accountholder for the calendar year in which the discount
40 is sought.

41 2. For the purposes of this section:

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

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

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

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

15 § 224-d. Cable discount program. 1. (a) Notwithstanding any other
16 provision of law, the commission is authorized and directed to require a
17 telephone corporation, as defined in subdivision seventeen of section
18 two of this chapter, and a cable television company, as defined in
19 section two hundred twelve of this article, that provides cable service
20 to customers in New York, to establish a discount program for low-income
21 senior citizens and individuals with a disability no later than ninety
22 days after the effective date of this section. Such program shall offer
23 a yearly benefit to low-income senior citizens and individuals with a
24 disability in the form of a ten percent discount on cable bills. The
25 fiscal impact of such program shall not be borne by customers and shall
26 not be added to bills rendered by a telephone corporation or cable tele-
27 vision company to customers.

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

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

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

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 account holder (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 twenty, as veri-
51 fied 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

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

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

16 § 5. This act shall take effect immediately.