STATE OF NEW YORK

2225

2023-2024 Regular Sessions

IN SENATE

January 19, 2023

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

AN ACT to amend the public service law and the public authorities law, in relation to defining medical needs for essential electricity and to require certain service providers' emergency response plans to include outreach plans for customers who have documented their need for essential electricity for medical needs; and to amend a chapter of the laws of 2022, amending the public service law and the public authorities law, relating to defining medical needs for essential electricity and requiring certain service providers' emergency response plans to include outreach plans for customers who have documented their need for essential electricity for medical needs, as proposed in legislative bills numbers S. 931-A and A. 3217-A, in relation to the effectiveness thereof

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

Section 1. Subparagraph (iii) of paragraph (a) of subdivision 21 of section 66 of the public service law, as amended by a chapter of the laws of 2022, amending the public service law and the public authorities law, relating to defining medical needs for essential electricity and requiring certain service providers' emergency response plans to include outreach plans for customers who have documented their need for essential electricity for medical needs, as proposed in legislative bills numbers S. 931-A and A. 3217-A, is amended to read as follows:

(iii) identification of and outreach plans to customers who had documented their need for essential electricity for medical needs, which shall include but not be limited to, apnea monitors for infants, cuirass respirators, hemodialysis machines, IV feeding machines, IV medical infusion machines, oxygen concentrators, positive pressure respirators, respirator/ventilators, rocking bed respirators, suction machines, **and** tank type respirators[~~, as well as any medical equipment or equipment~~

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

LBD03965-01-3

~~necessary for an individual whose diagnosis is likely to be significantly triggered or significantly exacerbated by a continued loss of power that will adversely impact that individual's health~~];

§ 2. Paragraph 1 of subdivision (cc) of section 1020-f of the public authorities law, as amended by a chapter of the laws of 2022, amending the public service law and the public authorities law, relating to defining medical needs for essential electricity and requiring certain service providers' emergency response plans to include outreach plans for customers who have documented their need for essential electricity for medical needs, as proposed in legislative bills numbers S. 931-A and A. 3217-A, is amended to read as follows:

1. The service provider shall, in consultation with the authority, prepare and maintain an emergency response plan (i) to assure the reasonably prompt restoration of service in the case of an emergency event, defined for purposes of this subdivision as an event where widespread outages have occurred in the authority's service territory due to a storm or other causes beyond the control of the authority and the service provider, (ii) consistent with the requirements of paragraph (a) of subdivision twenty-one of section sixty-six of the public service law and any regulations and orders adopted thereto, and (iii) establishing the separate responsibilities of the authority and service provider. Such emergency response plan shall include identification of and outreach plans for customers who have documented their need for essential electricity for medical needs, which shall include but not be limited to, apnea monitors for infants, cuirass respirators, hemodialysis machines, intravenous feeding machines, intravenous medical infusion machines, oxygen concentrators, positive pressure respirators, respirators/ventilators, rocking bed respirators, suction machines, **and** tank type respirators[~~, as well as any medical equipment or equipment necessary for an individual whose diagnosis is likely to be significantly triggered or significantly exacerbated by a continued loss of power that will adversely impact that individual's health~~].

§ 3. Section 3 of a chapter of the laws of 2022, amending the public service law and the public authorities law, relating to defining medical needs for essential electricity and requiring certain service providers' emergency response plans to include outreach plans for customers who have documented their need for essential electricity for medical needs, as proposed in legislative bills numbers S. 931-A and A. 3217-A, is amended to read as follows:

§ 3. This act shall take effect [~~immediately~~] **on the one hundred eightieth day after it shall have become a law**.

§ 4. This act shall take effect immediately; provided, however, that sections one and two of this act shall take effect on the same date and the same manner as a chapter of the laws of 2022 amending the public service law and the public authorities law, relating to defining medical needs for essential electricity and requiring certain service providers' emergency response plans to include outreach plans for customers who have documented their need for essential electricity for medical needs, as proposed in legislative bills numbers S. 931-A and A. 3217-A, takes effect.