STATE OF NEW YORK

5816

2023-2024 Regular Sessions

IN SENATE

March 17, 2023

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

AN ACT to amend the civil practice law and rules, the public service law and the public authorities law, in relation to prohibiting utility companies from certain replevin actions

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

Section 1. Section 7101 of the civil practice law and rules is amended to read as follows:

§ 7101. When action may be brought. **(a)** An action under this article may be brought to try the right to possession of a chattel.

(b) This article shall not apply to the provision of any part of the gas, electric or steam service provided to any residential customer or non-residential customer by any gas, electric or steam corporation or municipality, including the Long Island power authority. It is hereby declared to be the policy of this state that the continued provision of all or any part of such gas, electric and steam service to all residential and commercial customers without unreasonable qualifications or lengthy delays is necessary for the preservation of the health and general welfare and is in the public interest. The seizure of electric, gas, or steam meters is against the public interest.

§ 2. Section 32 of the public service law is amended by adding a new subdivision 7 to read as follows:

7. Utility service shall not be terminated for any residential electric or gas service to a residence in a manner as described in section seventy-one hundred one of the civil practice law and rules.

§ 3. The public authorities law is amended by adding a new section 1020-nn to read as follows:

§ 1020-nn. Service termination. Utility service shall not be terminated for any residential electric or gas service to a residence in a

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

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manner as described in section seventy-one hundred one of the civil practice law and rules.

§ 4. This act shall take effect immediately.