

# STATE OF NEW YORK

1949--A

2023-2024 Regular Sessions

## IN ASSEMBLY

January 23, 2023

Introduced by M. of A. BICHOTTE HERMELYN -- read once and referred to the Committee on Energy -- recommitted to the Committee on Energy in accordance with Assembly Rule 3, sec. 2 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the public service law, in relation to authorizing the department of public service to develop a temporary middle income home energy assistance program; making an appropriation therefor and providing for the repeal of such provisions upon expiration thereof

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

1 Section 1. The public service law is amended by adding a new section  
2 28 to read as follows:

3 § 28. Temporary middle income home energy assistance program. 1. The  
4 department is authorized to develop, implement, administer and operate a  
5 plan, and hold funds available for such plan, to make available one-time  
6 supplementing grants for the purpose of assisting eligible households to  
7 obtain home heating fuel.

8 2. For purposes of this section, the term "home heating fuel" shall  
9 mean fuel oil, coal, wood, propane, natural gas, electricity, steam,  
10 kerosene and any other fuel when used for residential heating purposes.

11 3. The department is required, in accordance with the plan established  
12 in subdivision one of this section, to participate in the temporary  
13 middle income home energy assistance program and to assist eligible  
14 households to obtain middle income home energy assistance.

15 4. Persons who qualify for middle income home energy assistance in  
16 accordance with standards promulgated by the department, shall be certi-  
17 fied as eligible for and entitled to receive such home energy assist-  
18 ance. No person, however, shall be certified as eligible for and enti-  
19 tled to receive such home energy assistance if no state funds are  
20 available for such purpose.

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

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1 5. Notwithstanding any inconsistent provision of law to the contrary,  
2 the amount of any home energy assistance payments or allowances provided  
3 to an eligible household under such plan shall not be considered income  
4 or resources of such households, or of any member thereof, for any  
5 purpose under any state law.

6 § 2. The sum of one million dollars (\$1,000,000), or so much thereof  
7 as may be necessary, is hereby appropriated to the department of public  
8 service out of any moneys in the state treasury in the general fund to  
9 the credit of the state purposes fund, not otherwise appropriated, and  
10 made immediately available, for the purpose of supporting the temporary  
11 middle income home energy assistance program. Such moneys shall be  
12 payable on the audit and warrant of the comptroller on vouchers certi-  
13 fied or approved by the department of public service in the manner  
14 prescribed by law.

15 § 3. This act shall take effect immediately and shall expire and be  
16 deemed repealed April 1, 2025.