

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:

1 Section 1. The public service law is amended by adding a new section
2 66-u to read as follows:

3 § 66-u. Utility discount program. 1. (a) Notwithstanding any other
4 provision of law, the commission is authorized and directed to require a
5 gas corporation, electric corporation or municipality to establish a
6 discount program for low-income senior citizens and individuals with a
7 disability no later than ninety days after the effective date of this
8 section. Such program shall offer a yearly benefit to low-income senior
9 citizens and individuals with a disability in the form of a ten percent
10 discount on utility bills. The fiscal impact of such program shall not
11 be borne by customers and shall not be added to bills rendered by a gas
12 corporation, electric corporation or municipality to customers.

13 (b) A gas corporation, electric corporation or municipality which
14 offers such discount program shall conspicuously advertise the avail-
15 ability and amount of such discount on the website of such gas corpo-
16 ration, electric corporation or municipality. The availability and
17 amount of such discount shall also be conspicuously advertised on the
18 accessibility page of the website of such gas corporation, electric
19 corporation or municipality.

20 2. For the purposes of this section:

21 (a) "individuals with a disability" shall mean a primary named utility
22 service, water service, or telephone service accountholder (i) with a
23 disability, as defined in subdivision twenty-one of section two hundred
24 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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1 income of less than fifty thousand dollars for the most recent two
2 consecutive income tax years beginning in two thousand twenty, as veri-
3 fied by the department of taxation and finance; and (iii) who is
4 currently receiving (A) social security disability insurance (SSDI), (B)
5 supplemental security income (SSI) benefits under the federal social
6 security act, (C) disability pension or disability compensation benefits
7 provided by the United States department of veterans affairs, (D) disa-
8 bility pension or disability compensation benefits provided by the
9 United States Postal Service, or (E) those previously eligible by virtue
10 of receiving disability benefits under the supplemental security income
11 program or the social security disability program and currently receiv-
12 ing medical assistance benefits based on determination of disability as
13 provided in section three hundred sixty-six of the social services law;
14 and

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

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

26 § 89-q. Water discount program. 1. (a) Notwithstanding any other
27 provision of law, the commission is authorized and directed to require
28 waterworks corporations and municipal water systems to establish a
29 discount program for low-income senior citizens and individuals with a
30 disability no later than ninety days after the effective date of this
31 section. Such program shall offer a yearly benefit to low-income senior
32 citizens and individuals with a disability in the form of a ten percent
33 discount on water utility bills. The fiscal impact of such program shall
34 not be borne by customers and shall not be added to bills rendered by a
35 waterworks corporation or municipal water system to customers.

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

42 2. For the purposes of this section:

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

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

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

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

16 § 91-b. Telephone discount program. 1. (a) Notwithstanding any other
17 provision of law, the commission is authorized and directed to require a
18 telephone corporation to establish a discount program for low-income
19 senior citizens and individuals with a disability no later than ninety
20 days after the effective date of this section. Such program shall offer
21 a yearly benefit to low-income senior citizens and individuals with a
22 disability in the form of a ten percent discount on telephone bills. The
23 fiscal impact of such program shall not be borne by customers and shall
24 not be added to bills rendered by a telephone corporation to customers.

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

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

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

40 2. For the purposes of this section:

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

1 provided in section three hundred sixty-six of the social services law;
2 and

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

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

14 § 224-d. Cable discount program. 1. (a) Notwithstanding any other
15 provision of law, the commission is authorized and directed to require a
16 telephone corporation, as defined in subdivision seventeen of section
17 two of this chapter, and a cable television company, as defined in
18 section two hundred twelve of this article, that provides cable service
19 to customers in New York, 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 cable 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 or cable tele-
26 vision company to customers.

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

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

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

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 § 5. This act shall take effect immediately.