

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:

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

3 § 7101. When action may be brought. (a) An action under this article
4 may be brought to try the right to possession of a chattel.

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

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

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

20 § 3. The public authorities law is amended by adding a new section
21 1020-nn to read as follows:

22 § 1020-nn. Service termination. Utility service shall not be termi-
23 nated 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.

LBD10322-01-3

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

3 § 4. This act shall take effect immediately.