

# STATE OF NEW YORK

9566

## IN SENATE

May 16, 2024

Introduced by Sen. BROUK -- read twice and ordered printed, and when printed to be committed to the Committee on Energy and Telecommunications

AN ACT to amend the public service law, in relation to semi-annual expenditures and lobbying reports

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 53-b to read as follows:

3 § 53-b. Semi-annual expenditure and lobbying report. 1. On or before  
4 March thirty-first, two thousand twenty-five and every semi-annual period  
5 thereafter, every utility corporation shall report to the department  
6 regarding advertising and lobbying on behalf of the utility corporation  
7 by the utility corporation, the officers or trustees of the corporation,  
8 or any employee of such corporation.

9 2. For the purposes of this section, the following terms shall have  
10 the following meanings:

11 (a) "Lobbying" shall mean any attempt to influence:

12 (i) the passage or defeat of any legislation or resolution by either  
13 house of the state legislature including but not limited to the intro-  
14 duction or intended introduction of such legislation or resolution or  
15 approval or disapproval of any legislation;

16 (ii) the adoption, issuance, rescission or modification of a gubernatorial  
17 executive order;

18 (iii) the adoption or rejection of any rule or regulation having the  
19 force and effect of law by a state agency;

20 (iv) the passage or defeat of any local law, ordinance, resolution, or  
21 regulation by any municipality;

22 (v) the adoption, issuance, rescission, modification or terms of any  
23 executive order issued by the chief executive officer of a municipality;  
24 and

25 (vi) the adoption or rejection of any rule, regulation, or resolution  
26 having the force and effect of a local law, ordinance, resolution or  
27 regulation.

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

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1 (b) "Advertising" shall mean any promotional activity or public  
2 service announcement that requires the purchase of media space, includ-  
3 ing television airtime, radio airtime, internet media space, billboards,  
4 newspaper space, magazine space; any private publication which requires  
5 the expenditure of any public funds; or any mass letter or other written  
6 communication delivered by mail or by comparable delivery service,  
7 including email, telephone, or other digital format.

8 3. The utility corporation shall prepare reports to include the  
9 following information:

10 (a) For lobbying, such report shall include, but not be limited to:  
11 the name of the trustee, officer, employee of the corporation engaging  
12 in lobbying; the name of the public official or public employee that was  
13 lobbied; the date and time of the meeting or communication; the subject  
14 matter of the lobbying, and any expenses incurred by the corporation for  
15 travel, lodging, or meals in connection with such lobbying.

16 (b) For advertising, such report shall include, but not be limited to,  
17 itemization of any public funds spent on advertising and information  
18 pertaining to the advertising marketing plan including measurable goals  
19 and objectives for the advertising campaign.

20 4. The requirements of this section shall not be construed to require  
21 the disclosure of information that is otherwise protected from disclo-  
22 sure by any law, regulation, order, or the civil practice law and rules.

23 § 2. The public service law is amended by adding a new section 66-x to  
24 read as follows:

25 § 66-x. Semi-annual expenditure and lobbying report. 1. On or before  
26 March thirty-first, two thousand twenty-five and every semi-annual peri-  
27 od thereafter, every utility corporation shall report to the department  
28 regarding advertising and lobbying on behalf of the utility corporation  
29 by the utility corporation, the officers or trustees of the corporation,  
30 or any employee of such corporation.

31 2. For the purposes of this section, the following terms shall have  
32 the following meanings:

33 (a) "Lobbying" shall mean any attempt to influence:

34 (i) the passage or defeat of any legislation or resolution by either  
35 house of the state legislature including but not limited to the intro-  
36 duction or intended introduction of such legislation or resolution or  
37 approval or disapproval of any legislation;

38 (ii) the adoption, issuance, rescission or modification of a gubernat-  
39 orial executive order;

40 (iii) the adoption or rejection of any rule or regulation having the  
41 force and effect of law by a state agency;

42 (iv) the passage or defeat of any local law, ordinance, resolution, or  
43 regulation by any municipality;

44 (v) the adoption, issuance, rescission, modification or terms of any  
45 executive order issued by the chief executive officer of a municipality;  
46 and

47 (vi) the adoption or rejection of any rule, regulation, or resolution  
48 having the force and effect of a local law, ordinance, resolution or  
49 regulation.

50 (b) "Advertising" shall mean any promotional activity or public  
51 service announcement that requires the purchase of media space, includ-  
52 ing television airtime, radio airtime, internet media space, billboards,  
53 newspaper space, magazine space, any private publication which requires  
54 the expenditure of any public funds, or any mass letter or other written  
55 communication delivered by mail or by comparable delivery service,  
56 including email, telephone, or other digital format.

1 3. The utility corporation shall prepare reports to include the  
2 following information:

3 (a) For lobbying, such report shall include, but not be limited to:  
4 the name of the trustee, officer, employee of the corporation engaging  
5 in lobbying; the name of the public official or public employee that was  
6 lobbied; the date and time of the meeting or communication; the subject  
7 matter of the lobbying, and any expenses incurred by the corporation for  
8 travel, lodging, or meals in connection with such lobbying.

9 (b) For advertising, such report shall include, but not be limited to,  
10 itemization of any public funds spent on advertising and information  
11 pertaining to the advertising marketing plan including measurable goals  
12 and objectives for the advertising campaign.

13 4. The requirements of this section shall not be construed to require  
14 the disclosure of information that is otherwise protected from disclo-  
15 sure by any law, regulation, order, or the civil practice law and rules.

16 § 3. The public service law is amended by adding a new section 78-a to  
17 read as follows:

18 § 78-a. Semi-annual expenditure and lobbying report. 1. On or before  
19 March thirty-first, two thousand twenty-five and every semi-annual peri-  
20 od thereafter, every utility corporation shall report to the department  
21 regarding advertising and lobbying on behalf of the utility corporation  
22 by the utility corporation, the officers or trustees of the corporation,  
23 or any employee of such corporation.

24 2. For the purposes of this section, the following terms shall have  
25 the following meanings:

26 (a) "Lobbying" shall mean any attempt to influence:

27 (i) the passage or defeat of any legislation or resolution by either  
28 house of the state legislature including but not limited to the intro-  
29 duction or intended introduction of such legislation or resolution or  
30 approval or disapproval of any legislation;

31 (ii) the adoption, issuance, rescission or modification of a gubernatorial  
32 executive order;

33 (iii) the adoption or rejection of any rule or regulation having the  
34 force and effect of law by a state agency;

35 (iv) the passage or defeat of any local law, ordinance, resolution, or  
36 regulation by any municipality;

37 (v) the adoption, issuance, rescission, modification or terms of any  
38 executive order issued by the chief executive officer of a municipality;  
39 and

40 (vi) the adoption or rejection of any rule, regulation, or resolution  
41 having the force and effect of a local law, ordinance, resolution or  
42 regulation.

43 (b) "Advertising" shall mean any promotional activity or public  
44 service announcement that requires the purchase of media space, includ-  
45 ing television airtime, radio airtime, internet media space, billboards,  
46 newspaper space, magazine space, any private publication which requires  
47 the expenditure of any public funds, or any mass letter or other written  
48 communication delivered by mail or by comparable delivery service,  
49 including email, telephone, or other digital format.

50 3. The utility corporation shall prepare reports to include the  
51 following information:

52 (a) For lobbying, such report shall include, but not be limited to:  
53 the name of the trustee, officer, employee of the corporation engaging  
54 in lobbying; the name of the public official or public employee that was  
55 lobbied; the date and time of the meeting or communication; the subject

1 matter of the lobbying, and any expenses incurred by the corporation for  
2 travel, lodging, or meals in connection with such lobbying.

3 (b) For advertising, such report shall include, but not be limited to,  
4 itemization of any public funds spent on advertising and information  
5 pertaining to the advertising marketing plan including measurable goals  
6 and objectives for the advertising campaign.

7 4. The requirements of this section shall not be construed to require  
8 the disclosure of information that is otherwise protected from disclo-  
9 sure by any law, regulation, order, or the civil practice law and rules.

10 § 4. The public service law is amended by adding a new section 89-q to  
11 read as follows:

12 § 89-q. Semi-annual expenditure and lobbying report. 1. On or before  
13 March thirty-first, two thousand twenty-five and every semi-annual peri-  
14 od thereafter, every water-works corporation shall report to the depart-  
15 ment regarding advertising and lobbying on behalf of the utility corpo-  
16 ration by the utility corporation, the officers or trustees of the  
17 corporation, or any employee of such corporation.

18 2. For the purposes of this section, the following terms shall have  
19 the following meanings:

20 (a) "Lobbying" shall mean any attempt to influence:

21 (i) the passage or defeat of any legislation or resolution by either  
22 house of the state legislature including but not limited to the intro-  
23 duction or intended introduction of such legislation or resolution or  
24 approval or disapproval of any legislation;

25 (ii) the adoption, issuance, rescission or modification of a gubernat-  
26 orial executive order;

27 (iii) the adoption or rejection of any rule or regulation having the  
28 force and effect of law by a state agency;

29 (iv) the passage or defeat of any local law, ordinance, resolution, or  
30 regulation by any municipality;

31 (v) the adoption, issuance, rescission, modification or terms of any  
32 executive order issued by the chief executive officer of a municipality;  
33 and

34 (vi) the adoption or rejection of any rule, regulation, or resolution  
35 having the force and effect of a local law, ordinance, resolution or  
36 regulation.

37 (b) "Advertising" shall mean any promotional activity or public  
38 service announcement that requires the purchase of media space, includ-  
39 ing television airtime, radio airtime, internet media space, billboards,  
40 newspaper space, magazine space, any private publication which requires  
41 the expenditure of any public funds, or any mass letter or other written  
42 communication delivered by mail or by comparable delivery service,  
43 including email, telephone, or other digital format.

44 3. The utility corporation shall prepare reports to include the  
45 following information:

46 (a) For lobbying, such report shall include, but not be limited to:  
47 the name of the trustee, officer, employee of the corporation engaging  
48 in lobbying; the name of the public official or public employee that was  
49 lobbied; the date and time of the meeting or communication; the subject  
50 matter of the lobbying, and any expenses incurred by the corporation for  
51 travel, lodging, or meals in connection with such lobbying.

52 (b) For advertising, such report shall include, but not be limited to,  
53 itemization of any public funds spent on advertising and information  
54 pertaining to the advertising marketing plan including measurable goals  
55 and objectives for the advertising campaign.

1 4. The requirements of this section shall not be construed to require  
2 the disclosure of information that is otherwise protected from disclo-  
3 sure by any law, regulation, order, or the civil practice law and rules.  
4 § 5. This act shall take effect immediately.