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:

Section 1. The public service law is amended by adding a new section 53-b to read as follows:

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

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

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

(i) the passage or defeat of any legislation or resolution by either house of the state legislature including but not limited to the introduction or intended introduction of such legislation or resolution or approval or disapproval of any legislation;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(i) the passage or defeat of any legislation or resolution by either house of the state legislature including but not limited to the introduction or intended introduction of such legislation or resolution or approval or disapproval of any legislation;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(i) the passage or defeat of any legislation or resolution by either house of the state legislature including but not limited to the introduction or intended introduction of such legislation or resolution or approval or disapproval of any legislation;

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

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

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

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

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

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

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

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

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

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

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

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

§ 89-q. Semi-annual expenditure and lobbying report. 1. On or before March thirty-first, two thousand twenty-five and every semi-annual period thereafter, every water-works corporation shall report to the department regarding advertising and lobbying on behalf of the utility corporation by the utility corporation, the officers or trustees of the corporation, or any employee of such corporation.

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

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

(i) the passage or defeat of any legislation or resolution by either house of the state legislature including but not limited to the introduction or intended introduction of such legislation or resolution or approval or disapproval of any legislation;

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

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

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

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

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

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

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

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

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

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

§ 5. This act shall take effect immediately.