

STATE OF NEW YORK

1327

2025-2026 Regular Sessions

IN SENATE

January 9, 2025

Introduced by Sens. PARKER, COMRIE, FERNANDEZ, GOUNARDES, HOYLMAN-SIGAL
-- 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 establishing
minimum standards for payment plans for eligible customers

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

1 Section 1. The public service law is amended by adding a new section
2 37-a to read as follows:

3 § 37-a. Minimum standards for payment plans. 1. The commission is
4 authorized and directed to set standards for payment plans for eligible
5 customers set up by utility companies. Such standards shall include:

6 (a) Whether a payment agreement, including any down payment require-
7 ments, is reasonable. Reasonableness shall be determined by considering
8 the current household income, ability to pay, payment history including
9 prior defaults on similar agreements, the size of the bill, the amount
10 of time and the reasons why the bill has been outstanding, and any
11 special circumstances creating extreme hardships within the household.
12 The utility company may require the person to confirm financial diffi-
13 culty with an acknowledgment from another state or local agency;

14 (b) Requiring each utility company to permit each customer a period of
15 not less than twenty-one days from the date the bill was sent to pay in
16 full, unless the customer and the utility agree on a different due date.
17 A utility company shall not withdraw funds from a customer's account
18 before the due date in cases where a customer uses an automatic bill
19 payment plan unless the customer agrees to a different period;

20 (c) In the event a rate change approved by the commission becomes
21 effective or in the event the supply portion of a customer's bill will
22 be ten percent or higher than the supply cost from the prior billing
23 cycle, while a residential customer is enrolled in and in compliance
24 with a payment plan, the effect of the rate change shall be included

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

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1 ratably over the remainder of the payment plan period. Included with the
2 first adjusted bill, the utility company shall provide notice to the
3 customer explaining the reason for the change and showing a calculation
4 of how the utility company arrived at the new monthly payment; and

5 (d) While enrolled in a residential payment plan a residential custom-
6 er's utility service may not be terminated unless the residential
7 customer violates a rule of the utility company on file with the commis-
8 sion, disconnection is necessary for reasons of health, safety, or state
9 or national emergencies, or termination is ordered by the commission.
10 Payment plans shall be offered to allow a customer to pay past-due
11 amounts over a period of time, unless the amounts owing relate to theft
12 of service, tampering, an unauthorized use of service, or failure to
13 abide by the terms of a time-payment plan. The customer shall make the
14 initial payment within one business day of agreeing to the time-payment
15 plan.

16 2. An individual or household shall be determined to be eligible for a
17 payment plan under this section if such individual or household provides
18 documentation of eligibility to the utility company for any of the
19 following programs, provided such documentation is dated no later than
20 three hundred sixty-five days preceding the date of the payment plan:

21 (a) temporary assistance for needy families (family assistance);
22 (b) safety net assistance (public assistance);
23 (c) supplemental security income (SSI);
24 (d) supplemental nutrition assistance program (SNAP);
25 (e) veterans disability pension and survivors benefits;
26 (f) child health plus;
27 (g) lifeline;
28 (h) home energy assistance program (HEAP);
29 (i) direct vendor or utility guarantee;
30 (j) social security disability insurance (SSDI);
31 (k) emergency rental assistance program (ERAP);
32 (l) Medicaid;
33 (m) federal public housing assistance;
34 (n) bureau of Indian affairs general assistance;
35 (o) Head Start;
36 (p) tribal TANF;
37 (q) food distribution program on Indian reservation (FDPIR); and
38 (r) any other income-based assistance program identified by the
39 commission and/or the office of temporary and disability assistance.

40 § 2. This act shall take effect on the thirtieth day after it shall
41 have become a law.