STATE OF NEW YORK

8908

IN SENATE

January 14, 2026

Introduced by Sen. COMRIE -- 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 certain sanctions and civil penalties

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

Section 1. Section 24 of the public service law, as amended by chapter 665 of the laws of 1980, is amended to read as follows:

§ 24. Action to recover penalties or forfeitures. An action to recover a penalty or a forfeiture under this chapter or to enforce the powers of the commission may be brought in any court of competent jurisdiction in this state in the name of the people of the state of New York, and shall be commenced and prosecuted to final judgment by the commission. In any such action all penalties and forfeitures incurred up to the time of commencing the same may be sued for and recovered therein, and the commencement of an action to recover a penalty or forfeiture shall not be, or be held to be, a waiver of the right to recover any other penalty or forfeiture; if the defendant in such action shall prove that during any portion of the time for which it is sought to recover penalties or forfeitures for a violation of an order or regulation of the commission the defendant was actually and in good faith prosecuting a suit, action or proceeding in the courts to set aside such order or regulation, the court shall remit the penalties or forfeitures incurred during the pendency of such suit, action or proceeding. All moneys recovered in any such action, together with the costs thereof, shall be [~~paid into the state treasury to the credit of the general fund~~] **returned to the ratepayers by means of a direct bill credit, as soon as practically feasible or no later than ninety days**. Any such action may be compromised or discontinued on application of the commission upon such terms as the court shall approve and order. An action may be maintained by the commission for the whole or any part of the penalties or forfeitures prescribed in this chapter, and judgment may be rendered for

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

LBD14011-02-6

the amount demanded in the complaint, or for any less amount, as justice may require.

§ 2. Subdivision 7 of section 25-a of the public service law, as added by section 2 of part X of chapter 57 of the laws of 2013, is amended to read as follows:

7. Any such assessment may be compromised or discontinued by the commission. All moneys recovered pursuant to this section, together with the costs thereof, shall be [~~remitted to, or for the benefit of, the ratepayers in a manner to be determined by the commission~~] **returned to the ratepayers by means of a direct bill credit, as soon as practically feasible or no later than ninety days**.

§ 3. This act shall take effect on the one hundred twentieth day after it shall have become a law. Effective immediately, the addition, amendment and/or repeal of any rule or regulation necessary for the implementation of this act on its effective date are authorized to be made and completed on or before such effective date.