

STATE OF NEW YORK

9080

IN SENATE

January 29, 2026

Introduced by Sen. PARKER -- 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 enacting the "protect our most vulnerable act"

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

1 Section 1. Short title. This act shall be known and may be cited as
2 the "protect our most vulnerable act".

3 § 2. Paragraph (b) of subdivision 3 of section 32 of the public
4 service law, as added by chapter 713 of the laws of 1981, is amended to
5 read as follows:

6 (b) Customers who are elderly, blind, or disabled. The commission
7 shall provide special procedures to be followed by a utility or municipi-
8 pality with respect to the termination or restoration of service to a
9 residence where the customer is known to or identified to the utility to
10 be blind, disabled, or sixty-two years of age or older; provided that
11 all the remaining residents of the household are sixty-two years of age
12 or older, eighteen years of age or under, or blind or disabled. The
13 commission shall afford reasonable protections to elderly, blind or
14 disabled customers, including a requirement that the utility corporation
15 or municipality make a diligent effort to contact by telephone or in
16 person an adult resident at the customer's premises at least seventy-two
17 hours prior to termination of service. The commission shall also estab-
18 lish reasonable procedures for identifying customers eligible for the
19 protections of this section and section thirty-four-a of this article.

20 § 3. The public service law is amended by adding a new section 34-a to
21 read as follows:

22 § 34-a. Discontinuance of residential utility service to elderly
23 customers. 1. Notwithstanding any other provision of law, no utility
24 corporation or municipality shall discontinue gas or electric service to
25 an elderly customer located anywhere in this state provided that such
26 customer is making good-faith payments between five and fifteen percent

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

LBD14421-01-6

1 of their monthly income toward their outstanding bills for rendered
2 services.

3 2. A utility corporation or municipality shall not discontinue gas or
4 electric service to an elderly customer for nonpayment of rendered
5 services unless such corporation or municipality provides clear and
6 documented evidence in a process established by the commission that such
7 customer failed to make payments in accordance with subdivision one of
8 this section. Such evidence shall include documentation that the elderly
9 customer did not attempt to pay their outstanding bills for rendered
10 services and that the obligations owed by the utility corporation or
11 municipality to provide payment plans and referrals to assistance
12 programs have been satisfied.

13 3. A utility corporation or municipality shall not prevent or inter-
14 fere with an elderly customer's ability to make payments in accordance
15 with subdivision one of this section by denying access to accepted
16 payment methods, returning or failing to process checks or money orders,
17 or imposing other administrative barriers.

18 4. A utility corporation or municipality found to engage in misconduct
19 under this section shall be subject to additional oversight by the
20 commission including mandatory compliance plans and heightened reporting
21 obligations. Such misconduct shall include, but is not limited to, the
22 failure to process payments, the misrepresentation of customer histo-
23 ries, and the attempt to discontinue gas or electric service except as
24 permitted by this section.

25 5. The commission shall require each utility corporation or munici-
26 pality to submit an annual report containing the following information:
27 the number of accounts held by elderly customers; the number of accounts
28 covered under this section; the number of accounts whose services were
29 discontinued under subdivision two of this section; and any patterns of
30 noncompliance.

31 6. The commission shall conduct audits, issue corrective action
32 orders, and impose penalties, fines, or other enforcement measures on
33 any utility corporation or municipality that violates the requirements
34 of this section.

35 7. The commission shall promulgate any rules and regulations necessary
36 for the implementation of this section, including but not limited to:

37 (a) Establishing a process and uniform standards for acceptable
38 evidence of nonpayment to utility corporations and municipalities;

39 (b) Creating guidelines for the verification of elderly customer
40 income for payment-percentage calculations; and

41 (c) Ensuring utility corporations and municipalities maintain accurate
42 records of all interactions, notices, and payment attempts made by
43 elderly customers pursuant to this section.

44 8. No later than ten years after the effective date of this section,
45 the commission shall review and publish a statewide report regarding the
46 effectiveness of this section and recommendations related to strengthen-
47 ing existing protections and expanding customer eligibility.

48 9. For the purposes of this section, "elderly customer" shall mean a
49 primary named utility service account holder who is at least seventy
50 years of age.

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

53 § 89-q. Discontinuance of water service to elderly customers. 1.
54 Notwithstanding any other provision of law, no water-works corporation
55 or municipal water system shall discontinue residential water service to
56 an elderly customer located anywhere in this state provided that such

1 elderly customer is making good-faith payments between five and fifteen
2 percent of their monthly income toward their outstanding bills for
3 rendered services.

4 2. A water-works corporation or municipal water system shall not
5 discontinue residential water service to an elderly customer for nonpay-
6 ment of rendered services unless such corporation or municipality
7 provides clear and documented evidence in a process established by the
8 commission that such customer failed to make payments in accordance with
9 subdivision one of this section. Such evidence shall include documenta-
10 tion that the elderly customer did not attempt to pay their outstanding
11 bills for rendered services and the obligation owed by the water-works
12 corporation or municipal water system to provide payment plans and
13 referrals to assistance programs have been satisfied.

14 3. A water-works corporation or municipal water system shall not
15 prevent or interfere with an elderly customer's ability to make payments
16 in accordance with subdivision one of this section by denying access to
17 accepted payment methods, returning or failing to process checks or
18 money orders, or imposing other administrative barriers.

19 4. Any water-works corporation or municipal water system found to
20 engage in misconduct under this section shall be subject to additional
21 oversight by the commission, including but not limited to, mandatory
22 compliance plans and heightened reporting obligations. Such misconduct
23 shall include, but is not limited to, the failure to process payments,
24 the misrepresentation of customer histories, and the attempt to discon-
25 tinue water service except as permitted by this section.

26 5. The commission shall require each water-works corporation or munic-
27 ipal water system to submit an annual report containing the following
28 information: the number of accounts held by elderly customers; the
29 number of accounts covered under this section; the number of accounts
30 whose services were discontinued under subdivision two of this section;
31 and any patterns of noncompliance.

32 6. The commission shall conduct audits, issue corrective action
33 orders, and impose penalties, fines, or other enforcement measures on
34 any water-works corporation or municipal water system that violates the
35 requirements of this section.

36 7. The commission shall promulgate any rules and regulations necessary
37 for the implementation of this section, including but not limited to:

38 (a) Establishing a process and uniform standards for acceptable
39 evidence of nonpayment to water-works corporations or municipal water
40 systems;

41 (b) Creating guidelines for the verification of elderly customer
42 income for payment-percentage calculations; and

43 (c) Ensuring water-works corporations and municipal water systems
44 maintain accurate records of all interactions, notices, and payment
45 attempts made by elderly customers pursuant to this section.

46 8. No later than ten years after the effective date of this section,
47 the commission shall review and publish a statewide report regarding the
48 effectiveness of this section and recommendations related to strengthen-
49 ing existing protections and expanding customer eligibility.

50 9. For the purposes of this section, "elderly customer" shall mean a
51 primary named water service accountholder who is at least seventy years
52 of age.

53 § 5. This act shall take effect January 1, 2027. Effective immediate-
54 ly, the addition, amendment and/or repeal of any rule or regulation
55 necessary for the implementation of this act on its effective date are
56 authorized to be made and completed on or before such date.