

STATE OF NEW YORK

10422

IN ASSEMBLY

March 5, 2026

Introduced by M. of A. BRAUNSTEIN -- read once and referred to the
Committee on Corporations, Authorities and Commissions

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 Assem-
bly, do enact as follows:

1 Section 1. Section 24 of the public service law, as amended by chapter
2 665 of the laws of 1980, is amended to read as follows:
3 § 24. Action to recover penalties or forfeitures. An action to
4 recover a penalty or a forfeiture under this chapter or to enforce the
5 powers of the commission may be brought in any court of competent juris-
6 diction in this state in the name of the people of the state of New
7 York, and shall be commenced and prosecuted to final judgment by the
8 commission. In any such action all penalties and forfeitures incurred up
9 to the time of commencing the same may be sued for and recovered there-
10 in, and the commencement of an action to recover a penalty or forfeiture
11 shall not be, or be held to be, a waiver of the right to recover any
12 other penalty or forfeiture; if the defendant in such action shall prove
13 that during any portion of the time for which it is sought to recover
14 penalties or forfeitures for a violation of an order or regulation of
15 the commission the defendant was actually and in good faith prosecuting
16 a suit, action or proceeding in the courts to set aside such order or
17 regulation, the court shall remit the penalties or forfeitures incurred
18 during the pendency of such suit, action or proceeding. All moneys
19 recovered in any such action, together with the costs thereof, shall be
20 ~~[paid into the state treasury to the credit of the general fund]~~
21 returned to the ratepayers by means of a direct bill credit, as soon as
22 practically feasible or no later than ninety days. Any such action may
23 be compromised or discontinued on application of the commission upon
24 such terms as the court shall approve and order. An action may be main-
25 tained by the commission for the whole or any part of the penalties or
26 forfeitures prescribed in this chapter, and judgment may be rendered for
27 the amount demanded in the complaint, or for any less amount, as justice
28 may require.

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

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

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

10 § 3. This act shall take effect on the one hundred twentieth day after
11 it shall have become a law. Effective immediately, the addition, amend-
12 ment and/or repeal of any rule or regulation necessary for the implemen-
13 tation of this act on its effective date are authorized to be made and
14 completed on or before such effective date.