# STATE OF NEW YORK

10492

# IN ASSEMBLY

March 6, 2026

Introduced by M. of A. DINOWITZ -- read once and referred to the Committee on Ways and Means

AN ACT to amend the administrative code of the city of New York, in relation to prohibiting a utility from charging customers an excise tax

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

Section 1. Subdivision (g) of section 11-1102 of the administrative code of the city of New York, as added by local law number 88 of the city of New York for the year 2005, is amended and a new subdivision h is added to read as follows:

[~~(g)~~] **g.** Notwithstanding anything else contained in this chapter to the contrary, for the taxable periods beginning on or after January 1, 2006, if a cooperative corporation containing at least fifteen hundred apartments furnishes or sells electricity, steam, refrigeration or water, or furnishes or sells electric, steam, refrigeration or water services that are (i) metered, (ii) generated or produced by a cogeneration facility owned or operated by such cooperative corporation, and (iii) such electricity, steam, refrigeration or water and/or electric, steam, refrigeration or water services are distributed to tenants and/or occupants of a cooperative corporation, then such cooperative corporation shall pay to the commissioner of finance an excise tax which shall be equal to zero per centum of its gross income or its gross operating income, as the case may be.

**h. The tax imposed by this section shall be charged against and paid by the utility and shall not be added as a separate item to bills rendered by such utility to customers or others but shall constitute a part of the operating costs of such utility.**

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

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

LBD13485-01-5