

# STATE OF NEW YORK

9649

## IN ASSEMBLY

January 21, 2026

Introduced by M. of A. HEVESI -- read once and referred to the Committee on Real Property Taxation

AN ACT to amend the real property tax law, in relation to the definition of special franchise property; and to amend the public service law, in relation to requiring any reduction of Consolidated Edison, Inc.'s or National Grid's tax burden to pass-through to its ratepayers

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

1 Section 1. Subdivision 17 of section 102 of the real property tax law,  
2 as amended by chapter 569 of the laws of 1996, is amended to read as  
3 follows:  
4 17. "Special franchise" means the franchise, right, authority or  
5 permission to construct, maintain or operate in, under, above, upon or  
6 through any public street, highway, water or other public place mains,  
7 pipes, tanks, conduits, wires or transformers, with their appurtenances,  
8 for conducting water, steam, light, power, electricity, gas or other  
9 substance. For purposes of assessment and taxation a special franchise  
10 shall include the value of the tangible property situated in, under,  
11 above, upon or through any public street, highway, water or other public  
12 place in connection therewith. The term special franchise shall not  
13 include central office equipment or station equipment (except public  
14 telephone terminal equipment) which first appears on assessment rolls  
15 prepared on the basis of taxable status dates occurring on or after  
16 October first, nineteen hundred ninety-five and which is owned by a  
17 telephone company as defined in paragraph (d) of subdivision twelve of  
18 this section, or owned by a telephone corporation as defined in subdivi-  
19 sion seventeen of section two of the public service law and certified by  
20 the public service commission under section ninety-nine of such law, nor  
21 shall it include property of a municipal corporation, public benefit  
22 corporation or special district, nor shall it include a crossing less  
23 than two hundred fifty feet in length of a public street, highway, water  
24 or other public place outside a city or village, unless such crossing be  
25 the continuation of an occupancy of another public street, highway,  
26 water or other public place. The term "special franchise" shall also

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

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1 not include the value of any tangible property and appurtenances owned  
2 by Consolidated Edison, Inc. or National Grid which are located in a  
3 city with a population of one million or more.

4 § 2. The public service law is amended by adding a new section 72-b to  
5 read as follows:

6 § 72-b. Special franchise tax reductions; Consolidated Edison, Inc.  
7 and National Grid. Notwithstanding any other provision of law, any  
8 reduction in special franchise taxes imposed pursuant to article six of  
9 the real property tax law on Consolidated Edison, Inc. or to National  
10 Grid shall be reflected in rates charged to their ratepayers in a manner  
11 determined by the commission, including but not limited to a reduction  
12 in rates, a temporary or permanent rate credit, a refund or bill adjust-  
13 ment, or such other ratemaking treatment as the commission deems reason-  
14 able, so that the full economic benefit of such reductions accrue to  
15 their ratepayers.

16 § 3. This act shall take effect immediately.