STATE OF NEW YORK

1327--A

Cal. No. 137

2025-2026 Regular Sessions

IN SENATE

January 9, 2025

Introduced by Sens. PARKER, COMRIE, FERNANDEZ, GOUNARDES, OBERACKER, WEBB -- read twice and ordered printed, and when printed to be committed to the Committee on Energy and Telecommunications -- recommitted to the Committee on Energy and Telecommunications in accordance with Senate Rule 6, sec. 8 -- reported favorably from said committee and committed to the Committee on Rules -- reported favorably from said committee, ordered to a third reading, passed by Senate and delivered to the Assembly, recalled, vote reconsidered, restored to third reading, amended and ordered reprinted, retaining its place in the order of third reading

AN ACT to amend the public service law, in relation to establishing minimum standards for payment plans for eligible customers

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

Section 1. The public service law is amended by adding a new section 37-b to read as follows:

§ 37-b. Minimum standards for payment plans. 1. The commission is authorized and directed to set minimum standards for payment plans for eligible customers set up by utility companies. Such standards shall include whether a payment agreement, including any down payment requirements, is reasonable. Reasonableness shall be determined by considering the current household income, ability to pay, payment history including prior defaults on similar agreements, the size of the bill, the amount of time and the reasons why the bill has been outstanding, and any special circumstances creating extreme hardships within the household. The utility company may require the person to confirm financial difficulty with an acknowledgment from another state or local agency.

2. (a) A payment agreement under this section shall provide for installments as low as ten dollars per month and no down payment, provided the customer or applicant demonstrates financial need for such terms.

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

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(b) Each utility company shall permit each customer a period of not less than twenty-one days from the date the bill was sent to pay in full, unless the customer and the utility agree on a different due date. A utility company shall not withdraw funds from a customer's account before the due date in cases where a customer uses an automatic bill payment plan unless the customer agrees to a different period.

(c) While enrolled in a residential payment plan, a residential customer's utility service may not be terminated unless the residential customer violates a rule of the utility company on file with the commission, disconnection is necessary for reasons of health, safety, or state or national emergencies, or termination is ordered by the commission.

(d) Payment plans shall be offered to allow a customer to pay past-due amounts over a period of time, unless the amounts due relate to theft of service, tampering, an unauthorized use of service, or failure to abide by the terms of a time-payment plan.

(e) In the event a rate change approved by the commission becomes effective or in the event the supply portion of a customer's bill will be twenty percent or higher than the supply cost over two consecutive billing cycles, while a residential customer is enrolled in and in compliance with a payment plan, such customer shall be provided the option to spread the effect of the rate change ratably over the remainder of the payment plan period. Included with the first adjusted bill, the utility company shall provide notice to the customer explaining the reason for the change and showing a calculation of how the utility company arrived at the new monthly payment.

3. An individual or household shall be determined to be eligible for a payment plan under this section if such individual or household provides documentation of eligibility to the utility company for any of the following programs, provided such documentation is dated no later than three hundred sixty-five days preceding the date of the payment plan:

(a) temporary assistance for needy families (family assistance);
(b) safety net assistance (public assistance);
(c) supplemental security income (SSI);
(d) supplemental nutrition assistance program (SNAP);
(e) veterans disability pension and survivors benefits;
(f) child health plus;
(g) lifeline;
(h) home energy assistance program (HEAP);
(i) direct vendor or utility guarantee;
(j) social security disability insurance (SSDI);
(k) Medicaid;
(l) federal public housing assistance;
(m) bureau of Indian affairs general assistance;
(n) Head Start;
(o) tribal TANF;
(p) food distribution program on Indian reservation (FDPIR); and
(q) any other income-based assistance program identified by the commission and/or the office of temporary and disability assistance.

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