



In re: Requiring Utilities to Use Customers' Preferred Names and Pronouns (Bill S.5325-Hoylman/A.6193-Gonzalez-Rojas)

Memorandum of Opposition

Bill S.5325-Hoylman/A.6193-Gonzalez-Rojas would require various utilities to use customers' preferred names and pronouns upon request.

Specifically, this legislation would direct utilities, water works, telephone service providers, and municipalities to create convenient mechanisms by which customers could request that their preferred names and pronouns be used in all communications with said utilities. Furthermore, customers would be empowered to make such requests "regardless of whether such applicant or customer's preferred name differs from their current legal name." If a customer should make such a request, the utility would be forbidden from "willfully and repeatedly" failing to use the preferred name or pronoun.

The State of New York should not forbid utility companies from using customers' legal names. If a New York resident finds his or her legal name objectionable and desires to change it, New York law offers a legal name change process; fee waivers are available for persons that lack the funds to pay court fees. If—as the bill memorandum asserts—the name change process is unmanageable, the Legislature should take action to correct that process rather than directing utility companies to create systems for recognizing alternate names. Neither utility companies nor other New Yorkers need another unfunded mandate from Albany.

Regarding pronoun usage, it is safe to say that New Yorkers hold differing perspectives. Some New Yorkers believe that the pronouns used to address a person should be consistent with that person's preferred gender identification, while others believe that the pronouns used to address a person should be consistent with that person's biological sex. The sponsors of this legislation should refrain from using New York law to impose their perspective about pronouns on utility companies.

This bill would create an unfunded mandate and would lead to unnecessary busywork for utilities. It should not become law.