

STATE OF NEW YORK

2219

2021-2022 Regular Sessions

IN ASSEMBLY

January 14, 2021

Introduced by M. of A. JACOBSON, KIM, SIMON, COLTON, EPSTEIN -- read once and referred to the Committee on Consumer Affairs and Protection

AN ACT to amend the general business law, in relation to requiring that internet providers who provide service in a municipality provide basic internet service to each residential dwelling or residential dwelling unit in that municipality at no cost

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

1 Section 1. The general business law is amended by adding a new section
2 390-d to read as follows:

3 § 390-d. Provision of internet services. 1. The provisions of this
4 section shall apply to every provider of a broadband internet line which
5 lies wholly within the state and that part within the state of New York
6 of every broadband internet line which lies partly within and partly
7 without the state and to the persons, entities or corporations owning,
8 leasing or operating any such broadband internet line.

9 2. As used in this section, "internet service provider" means any
10 person, business, entity or organization qualified to do business in
11 this state that provides individuals, corporations, or other entities
12 within the state with the ability to connect to the internet through
13 equipment that is located in this state.

14 3. Each internet provider that provides service to customers within a
15 municipality shall provide basic internet service to each residential
16 dwelling or unit contained within such residential dwelling in that
17 municipality at no cost to the persons occupying such dwelling or unit.

18 4. The public service commission shall promulgate rules and regu-
19 lations to effectuate the provisions of this section, including, but not
20 limited to the following:

21 (a) rules and regulations to apportion the responsibility of each
22 provider in the event that a municipality has authorized more than one

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

LBD05945-01-1

1 internet provider to operate within the geographic area of the munici-
2 pality; and

3 (b) rules and regulations to ensure such compliance internet service
4 providers with the provisions of this section.

5 5. No internet service provider shall assign or transfer liability for
6 its obligations under this section to any other person, business, entity
7 or organization or contract for any other person, business, entity or
8 organization to perform the internet service provider's duties under
9 this section without the prior written consent of the public service
10 commission.

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