STATE OF NEW YORK

3165

2025-2026 Regular Sessions

IN ASSEMBLY

January 23, 2025

Introduced by M. of A. ROSENTHAL -- read once and referred to the Committee on Corporations, Authorities and Commissions

AN ACT to amend the public service law, in relation to requiring cable television companies, internet service providers and telephone corporations to automatically refund customers when their systems are out of service or experiencing an outage, when a customer's equipment is not operating correctly, or when a portion of their services are not provided

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 224-d to read as follows:

§ 224-d. Cable refunds. 1. Every cable television company that provides cable service to customers in New York shall automatically credit its customers billing statement whenever:

(a) a cable television system is out of service or is experiencing an outage or when the customer's cable box is not operating correctly, for a period of four hours or longer;

(b) notwithstanding subdivision six of section two hundred twenty-four-a of this article, a cable television system does not carry a network on a service tier, for a period of four hours or longer; or

(c) a subscriber terminates the cable television services.

2. (a) Where required under paragraphs (a) and (c) of subdivision one of this section, a credit shall be issued for one thirtieth of the monthly rates for each day the subscriber is not able to access the cable television network for a period of four hours or longer.

(b) Where required under paragraph (b) of subdivision one of this section, a credit shall be issued which is pro-rated as determined by the commissioner based on factors including, but not limited to, the duration which the cable television system did not carry the network on the service tier and the cost of the network to the cable television

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

LBD05672-01-5

company compared to the cost of all networks distributed on such service tier.

3. Where a subscriber terminates service with a cable television company, any credit issued under this section which exceeds the amount due on a billing statement shall be issued to the subscriber in the form of a check in the subscriber's name in the amount such credit exceeds such amount due.

§ 2. The article heading of article 11 of the public service law, as added by chapter 83 of the laws of 1995, is amended to read as follows:

PROVISIONS RELATING TO CABLE TELEVISION AND INTERNET COMPANIES

§ 3. Section 212 of the public service law is amended by adding a new subdivision 15 to read as follows:

15. "Internet service provider" shall mean any person, business or organization qualified to do business in this state that provides individuals, corporations, or other entities with the ability to connect to the internet.

§ 4. The public service law is amended by adding a new section 224-e to read as follows:

§ 224-e. Internet refunds. 1. Every internet service provider that provides internet service to customers in New York shall automatically credit its customers billing statement whenever the internet service is out of service or is experiencing an outage, for a period of four hours or longer.

2. Where required under subdivision one of this section, a credit shall be issued for one thirtieth of the monthly rates for each day the subscriber is not able to access the internet for a period of four hours or longer.

3. Where a subscriber terminates service with an internet service provider, any credit issued under this section which exceeds the amount due on a billing statement shall be issued to the subscriber in the form of a check in the subscriber's name in the amount such credit exceeds such amount due.

§ 5. The public service law is amended by adding a new section 92-j to read as follows:

§ 92-j. Telephone refunds. Every telephone corporation, as defined in subdivision seventeen of section two of this chapter, that provides telephone service to customers in New York shall automatically credit its customers billing statement whenever the telephone service is out of service or is experiencing an outage, for a period of thirty minutes or longer.

2. Where required under subdivision one of this section, a credit shall be issued for one thirtieth of the monthly rates for each day the subscriber is not able to access telephone services for a period of thirty minutes or longer.

3. Where a subscriber terminates service with a telephone corporation, any credit issued under this section which exceeds the amount due on a billing statement shall be issued to the subscriber in the form of a check in the subscriber's name in the amount such credit exceeds such amount due.

§ 6. This act shall take effect immediately.