S T A T E O F N E W Y O R K

2467--B

2009-2010 Regular Sessions

I N A S S E M B L Y

January 16, 2009

Introduced by M. of A. PRETLOW, KELLNER, MILLMAN, ORTIZ, HOYT, ESPAILLAT, WRIGHT, PERRY, DelMONTE, ROSENTHAL -- Multi-Sponsored by -- M. of A. BRENNAN, DenDEKKER, LUPARDO, MAISEL, MARKEY, McENENY, TOWNS, WEISENBERG -- read once and referred to the Committee on Corporations, Authorities and Commissions -- recommitted to the Committee on Corporations, Authorities and Commissions in accordance with Assembly Rule 3, sec. 2 -- reported and referred to the Committee on Ways and Means -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- again reported from said committee with amendments, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the public service law and the state finance law, in relation to enacting the accessible electronic information act

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. Short title. This act shall be known and may be cited as the "accessible electronic information act".

S 2. The public service law is amended by adding a new section 92-g to read as follows:

S 92-G. ACCESSIBLE ELECTRONIC INFORMATION; BLIND AND DISABLED PERSONS. 1. A QUALIFIED NOT-FOR-PROFIT ENTITY CAPABLE OF PROVIDING SUCH SERVICE SHALL PROVIDE AN ACCESSIBLE ELECTRONIC INFORMATION SERVICE FOR ELIGIBLE BLIND AND DISABLED PERSONS. THIS SERVICE SHALL BE PLANNED FOR CONTINUATION FROM YEAR TO YEAR AND MAKE MAXIMUM USE OF FEDERAL AND OTHER FUNDS AVAILABLE BY OBTAINING GRANT OR IN-KIND SUPPORT FROM APPROPRIATE PROGRAMS AND SECURING ACCESS TO LOW-COST INTERSTATE RATES FOR TELECOMMUNICATIONS BY REIMBURSEMENT OR OTHERWISE.

2. AS USED IN THIS SECTION, THE FOLLOWING TERMS SHALL HAVE THE FOLLOWING MEANINGS, UNLESS OTHERWISE INDICATED:

(A) "ACCESSIBLE ELECTRONIC INFORMATION SERVICE" MEANS NEWS AND OTHER TIMELY INFORMATION (INCLUDING NEWSPAPERS) PROVIDED TO ELIGIBLE INDIVID-

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

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UALS FROM A MULTI-STATE SERVICE CENTER, USING HIGH-SPEED COMPUTERS AND TELECOMMUNICATIONS TECHNOLOGY FOR INTERSTATE ACQUISITION OF CONTENT AND RAPID DISTRIBUTION IN A FORM APPROPRIATE FOR USE BY SUCH INDIVIDUALS;

(B) "BLIND AND DISABLED PERSONS" MEANS THOSE INDIVIDUALS WHO ARE ELIGIBLE FOR LIBRARY LOAN SERVICES THROUGH THE LIBRARY OF CONGRESS AND THE STATE LIBRARY FOR THE BLIND AND PHYSICALLY HANDICAPPED PURSUANT TO 36 CFR 701.10(B);

(C) "DIRECTOR" MEANS THE DIRECTOR OF THE SELECTED NOT-FOR-PROFIT ENTITY;

(D) "QUALIFIED ENTITY" MEANS A NOT-FOR-PROFIT ENTITY WITHIN THIS STATE CAPABLE OF PROVIDING ACCESSIBLE ELECTRONIC INFORMATION SERVICES WHICH:

(I) PROVIDES INTERSTATE ACCESS FOR ELIGIBLE PERSONS TO READ DAILY NEWSPAPERS PRODUCING AUDIO EDITIONS BY COMPUTER, AND

(II) PROVIDES A MEANS OF PROGRAM ADMINISTRATION AND READER REGISTRATION ON THE INTERNET.

S 3. The state finance law is amended by adding a new section 99-r to read as follows:

S 99-R. ACCESSIBLE ELECTRONIC INFORMATION SERVICE FUND. 1. THERE IS HEREBY ESTABLISHED IN THE CUSTODY OF THE STATE COMPTROLLER A SPECIAL REVENUE FUND TO BE KNOWN AS THE "ACCESSIBLE ELECTRONIC INFORMATION SERVICE FUND".

2. NOTHING CONTAINED IN THIS SECTION SHALL PREVENT THE STATE FROM RECEIVING GRANTS, GIFTS OR BEQUESTS AND DEPOSITING THEM INTO THE ACCESSIBLE ELECTRONIC INFORMATION SERVICE FUND ACCORDING TO LAW.

3. THE ACCESSIBLE ELECTRONIC INFORMATION SERVICE FUND SHALL BE ADMINISTERED BY THE PUBLIC SERVICE COMMISSION, IN CONSULTATION WITH THE DIRECTOR, IN ACCORDANCE WITH THIS SECTION.

4. THE TARGETED ACCESSIBILITY FUND, INC., ESTABLISHED BY THE PUBLIC SERVICE COMMISSION IN ITS "ORDER AND OPINION 98-10", MAY ALLOCATE FUNDS FOR THE PURPOSE OF PROVIDING ELECTRONIC DISTRIBUTION OF NEWSPAPERS, PERIODICALS, TIME SENSITIVE MATERIALS, AND OTHER INFORMATION WHICH MAY BE OF BENEFIT TO THE COMMUNITY.

S 4. This act shall take effect on the ninetieth day after it shall have become a law; provided, however, that effective immediately, the addition, amendment and/or repeal of any rule or regulation necessary for the implementation of this act on its effective date is authorized and directed to be made and completed on or before such effective date.