

4698

2009-2010 Regular Sessions

I N S E N A T E

April 27, 2009

Introduced by Sen. LEIBELL -- read twice and ordered printed, and when printed to be committed to the Committee on Veterans, Homeland Security and Military Affairs

AN ACT to amend the executive law and the general business law, in relation to telecommunication service security

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

1 Section 1. The executive law is amended by adding a new section 716 to
2 read as follows:
3 S 716. SECURITY REPORT OF TELECOMMUNICATIONS ASSETS. THE NEW YORK
4 STATE OFFICE OF HOMELAND SECURITY, IN COOPERATION WITH THE DIVISION OF
5 STATE POLICE, SHALL PERFORM AN INVESTIGATION AND, ON OR BEFORE APRIL
6 FIRST, TWO THOUSAND TEN, SHALL ISSUE A REPORT TO THE GOVERNOR, THE
7 TEMPORARY PRESIDENT OF THE SENATE, AND THE SPEAKER OF THE ASSEMBLY, ON
8 TELECOMMUNICATION SECURITY IN NEW YORK STATE. SUCH INVESTIGATION AND
9 REPORT SHALL EXAMINE THE FACILITIES AND OPERATIONS OF ALL CORPORATIONS
10 WHICH OFFER OR PROVIDE TELECOMMUNICATIONS SERVICES, AND SHALL EXAMINE
11 AND REPORT ON THE SAFETY AND SECURITY OF ALL FACILITIES, EQUIPMENT AND
12 PROCEDURES OF SUCH CORPORATIONS AND MAKE RECOMMENDATIONS WITH RESPECT TO
13 THE IMPROVEMENT OF THE SECURITY THEREOF.
14 S 2. The general business law is amended by adding a new article 37-B
15 to read as follows:

16 ARTICLE 37-B
17 TELECOMMUNICATION SERVICE SECURITY
18 SECTION 807. SECURITY AT TELECOMMUNICATIONS CENTERS.
19 S 807. SECURITY AT TELECOMMUNICATIONS CENTERS. NO CORPORATION WHICH
20 OFFERS OR PROVIDES TELECOMMUNICATIONS SERVICES SHALL PERMIT ACCESS TO
21 ANY HARDWARE OR SOFTWARE, OR ANY PORTION OF A FACILITY OWNED OR OPERATED
22 BY SUCH CORPORATION, WHERE SUCH HARDWARE OR SOFTWARE IS MAINTAINED,
23 WHERE SUCH HARDWARE OR SOFTWARE PROVIDES SWITCHING, TRANSFORMING,

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

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1 COMPUTER OR OTHER TECHNOLOGICAL SERVICES IN THE DELIVERY OF ITS TELECOM-
2 MUNICATION SERVICES, EXCEPT BY EMPLOYEES OF THE CORPORATION WHO HAVE
3 SATISFIED THE REQUIREMENTS OF A SECURITY BACKGROUND CHECK, AS DESIGNED
4 AND ADMINISTERED BY THE NEW YORK STATE OFFICE OF HOMELAND SECURITY AND
5 THE DIVISION OF STATE POLICE.
6 S 3. This act shall take effect immediately.