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

3674

2011-2012 Regular Sessions

I N A S S E M B L Y

January 26, 2011

Introduced by M. of A. FINCH, KOLB, BURLING, McDONOUGH, KATZ -- Multi-Sponsored by -- M. of A. HAWLEY, MAGEE -- read once and referred to the Committee on Consumer Affairs and Protection

AN ACT to amend the public service law, in relation to requiring local phone companies to provide customers with a cost free option to block certain information-access services

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

Section 1. Legislative findings and intent. Effective July 1, 1989 customers who wish to block "adult" messages, group calling services or recorded information and entertainment services from their phones have had to pay a five dollar fee. The legislature finds that customers should not have to pay to block a service they never requested and that this blocking option should be made available free of charge.

S 2. Section 91 of the public service law is amended by adding a new subdivision 8 to read as follows:

8. (A) THE COST FOR PROVIDING BLOCKING SERVICES AND INFORMING CUSTOMERS THEREOF, SHALL BE BORNE BY THE TELEPHONE COMPANY PROVIDING THE BLOCKING SERVICE, AND SHALL NOT BE INCLUDED IN THAT TELEPHONE COMPANY'S RATE BASE.

(B) THE PUBLIC SERVICE COMMISSION SHALL PROMULGATE THE APPROPRIATE RULES AND REGULATIONS WITHIN ONE HUNDRED TWENTY DAYS OF THE EFFECTIVE DATE OF THIS SUBDIVISION.

S 3. This act shall take effect on the thirtieth day after it shall have become a law.

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

LBD03811-01-1