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2011-2012 Regular Sessions

I N S E N A T E

(PREFILED)

January 5, 2011

Introduced by Sens. PARKER, DILAN, KLEIN, KRUEGER, MAZIARZ, MONTGOMERY
-- read twice and ordered printed, and when printed to be committed to
the Committee on Energy and Telecommunications

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 ASSEM-
BLY, DO ENACT AS FOLLOWS:

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

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

5 S 92-G. ACCESSIBLE ELECTRONIC INFORMATION; BLIND AND DISABLED PERSONS.

6 1. A QUALIFIED NOT-FOR-PROFIT ENTITY CAPABLE OF PROVIDING SUCH SERVICE
7 SHALL PROVIDE AN ACCESSIBLE ELECTRONIC INFORMATION SERVICE FOR ELIGIBLE
8 BLIND AND DISABLED PERSONS. THIS SERVICE SHALL BE PLANNED FOR CONTINUA-
9 TION FROM YEAR TO YEAR AND MAKE MAXIMUM USE OF FEDERAL AND OTHER FUNDS
10 AVAILABLE BY OBTAINING GRANT OR IN-KIND SUPPORT FROM APPROPRIATE
11 PROGRAMS AND SECURING ACCESS TO LOW-COST INTERSTATE RATES FOR TELECOMMU-
12 NICATIONS BY REIMBURSEMENT OR OTHERWISE.

13 2. AS USED IN THIS SECTION, THE FOLLOWING TERMS SHALL HAVE THE FOLLOW-
14 ING MEANINGS, UNLESS OTHERWISE INDICATED:

15 (A) "ACCESSIBLE ELECTRONIC INFORMATION SERVICE" MEANS NEWS AND OTHER
16 TIMELY INFORMATION (INCLUDING NEWSPAPERS) PROVIDED TO ELIGIBLE INDIVID-
17 UALS FROM A MULTI-STATE SERVICE CENTER, USING HIGH-SPEED COMPUTERS AND
18 TELECOMMUNICATIONS TECHNOLOGY FOR INTERSTATE ACQUISITION OF CONTENT AND
19 RAPID DISTRIBUTION IN A FORM APPROPRIATE FOR USE BY SUCH INDIVIDUALS;

20 (B) "BLIND AND DISABLED PERSONS" MEANS THOSE INDIVIDUALS WHO ARE
21 ELIGIBLE FOR LIBRARY LOAN SERVICES THROUGH THE LIBRARY OF CONGRESS AND
22 THE STATE LIBRARY FOR THE BLIND AND PHYSICALLY HANDICAPPED PURSUANT TO
23 36 CFR 701.10(B);

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

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1 (C) "DIRECTOR" MEANS THE DIRECTOR OF THE SELECTED NOT-FOR-PROFIT ENTI-
2 TY;

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

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

7 (II) PROVIDES A MEANS OF PROGRAM ADMINISTRATION AND READER REGISTRA-
8 TION ON THE INTERNET.

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

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

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

18 3. THE ACCESSIBLE ELECTRONIC INFORMATION SERVICE FUND SHALL BE ADMIN-
19 ISTERED BY THE PUBLIC SERVICE COMMISSION, IN CONSULTATION WITH THE
20 DIRECTOR, IN ACCORDANCE WITH THIS SECTION.

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

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