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

8688

2011-2012 Regular Sessions

I N A S S E M B L Y

October 27, 2011

Introduced by M. of A. MURRAY, BOYLE, GRAF, MONTESANO -- read once and referred to the Committee on Governmental Operations

AN ACT to amend the civil rights law, in relation to protecting a person's right to know who is behind an anonymous internet posting

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

Section 1. The civil rights law, is amended by adding a new section 79-o to read as follows:

S 79-O. ANONYMOUS INTERNET POSTER; RIGHT TO KNOW. 1. DEFINITIONS. AS USED IN THIS SECTION, THE FOLLOWING WORDS AND TERMS SHALL HAVE THE FOLLOWING MEANINGS:

(A) ANONYMOUS POSTER IS ANY INDIVIDUAL WHO POSTS A MESSAGE ON A WEB SITE INCLUDING SOCIAL NETWORKS, BLOGS FORUMS, MESSAGE BOARDS OR ANY OTHER DISCUSSION SITE WHERE PEOPLE CAN HOLD CONVERSATIONS IN THE FORM OF POSTED MESSAGES.

(B) "WEB SITE ADMINISTRATOR" MEANS ANY PERSON OR ENTITY THAT IS RESPONSIBLE FOR MAINTAINING A WEB SITE OR MANAGING THE CONTENT OR DEVELOPMENT OF INFORMATION PROVIDED ON A WEB SITE INCLUDING SOCIAL NETWORKS, BLOGS FORUMS, MESSAGE BOARDS OR ANY OTHER DISCUSSION SITE WHERE PEOPLE CAN HOLD CONVERSATIONS IN THE FORM OF POSTED MESSAGES, ACCESSIBLE VIA A NETWORK SUCH AS THE INTERNET OR A PRIVATE LOCAL AREA NETWORK.

(C) "INTERNET" MEANS THE GLOBAL SYSTEM OF INTERCONNECTED COMPUTER NETWORKS THAT USE THE INTERNET PROTOCOL.

(D) "INTERNET PROTOCOL ADDRESS" OR "IP ADDRESS" MEANS A NUMERICAL LABEL ASSIGNED TO EACH COMPUTER OR DEVICE PARTICIPATING IN A COMPUTER NETWORK THAT USES THE INTERNET PROTOCOL FOR COMMUNICATION.

2. A WEB SITE ADMINISTRATOR UPON REQUEST SHALL REMOVE ANY COMMENTS POSTED ON HIS OR HER WEB SITE BY AN ANONYMOUS POSTER UNLESS SUCH ANONYMOUS POSTER AGREES TO ATTACH HIS OR HER NAME TO THE POST AND CONFIRMS THAT HIS OR HER IP ADDRESS, LEGAL NAME, AND HOME ADDRESS ARE ACCURATE. ALL WEB SITE ADMINISTRATORS SHALL HAVE A CONTACT NUMBER OR E-MAIL

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

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ADDRESS POSTED FOR SUCH REMOVAL REQUESTS, CLEARLY VISIBLE IN ANY SECTIONS WHERE COMMENTS ARE POSTED.

S 2. This act shall take effect on the ninetieth day after it shall have become a law.