

2011-2012 Regular Sessions

I N S E N A T E

(PREFILED)

January 5, 2011

Introduced by Sen. DIAZ -- read twice and ordered printed, and when printed to be committed to the Committee on Consumer Protection

AN ACT to amend the general business law, in relation to providing telephone equipment with voice dialing functions to certain persons with disabilities

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

1 Section 1. The general business law is amended by adding a new section
2 399-zz-1 to read as follows:
3 S 399-ZZ-1. RESIDENTIAL VOICE DIALING TELEPHONE EQUIPMENT. 1. FOR THE
4 PURPOSES OF THIS SECTION: (A) "VOICE DIALING TELEPHONE EQUIPMENT" SHALL
5 MEAN CUSTOMER PREMISES EQUIPMENT SUCH AS TELEPHONE HANDSETS, DESIGNED
6 FOR USE ON THE RESIDENTIAL PREMISES OF A VISUALLY-IMPAIRED PERSON TO
7 ORIGINATE, ROUTE OR TERMINATE A TELEPHONE CALL;
8 (B) "CONSUMER" OR "PURCHASER" SHALL MEAN: (I) A CERTIFIED VISUALLY-IM-
9 PAIRED RETAIL CUSTOMER WHO PURCHASES SUCH EQUIPMENT FOR PERSONAL USE IN
10 A PLACE OF RESIDENCE WHERE THE ADDITION OF SUCH EQUIPMENT IS NECESSARY
11 TO ENABLE SUCH CONSUMER TO MAKE A TELEPHONE CALL AND THAT (II) MEETS THE
12 INCOME ELIGIBILITY REQUIREMENTS FOR THE NEW YORK LIFELINE PROGRAM; AND
13 (C) "SELLER" SHALL MEAN ANY RETAILER, DISTRIBUTOR OR MANUFACTURER WHO
14 SELLS OR OFFERS FOR SALE RESIDENTIAL VOICE DIALING TELEPHONE EQUIPMENT
15 DIRECTLY TO A CONSUMER OR PURCHASER OR PLACES IN THE CHAIN OF DISTRIB-
16 UTION SUCH EQUIPMENT TO BE ULTIMATELY SOLD TO A CONSUMER.
17 2. ANY MANUFACTURER OF RESIDENTIAL VOICE DIALING TELEPHONE EQUIPMENT
18 SHALL OFFER FOR SALE SUCH EQUIPMENT TO CONSUMERS, AS DEFINED IN THIS
19 SECTION, AT AN AMOUNT NOT TO EXCEED THE ACTUAL COST OF MANUFACTURING THE
20 EQUIPMENT.
21 S 2. Every telephone corporation, as defined in section 2 of the
22 public service law, and every cable television company, as defined in
23 section 212 of public service law and any other provider of telephone

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

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1 service that provides telephone service to customers in New York state
2 shall provide notice to its customers that voice dialing telephone
3 equipment is available from manufacturers at cost.
4 S 3. This act shall take effect on the one hundred eightieth day after
5 it shall have become a law.