

4779

2011-2012 Regular Sessions

I N S E N A T E

April 25, 2011

Introduced by Sen. GOLDEN -- read twice and ordered printed, and when printed to be committed to the Committee on Energy and Telecommunications

AN ACT to amend the state technology law, in relation to sending notices, bills and other communications by electronic means in a city with a population of one million or more

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

1 Section 1. The state technology law is amended by adding a new section  
2 310 to read as follows:

3 S 310. ELECTRONIC NOTICING. 1. NOTWITHSTANDING ANY OTHER PROVISION OF  
4 THIS ARTICLE OR ANY OTHER LAW, RULE OR REGULATION TO THE CONTRARY, ANY  
5 AGENCY OF A CITY WITH A POPULATION OF ONE MILLION OR MORE MAY SEND ANY  
6 NOTICE, BILL OR OTHER COMMUNICATION BY ELECTRONIC MEANS IF THE PERSON TO  
7 WHOM THE NOTICE, BILL OR OTHER COMMUNICATION IS TO BE SENT HAS AUTHOR-  
8 IZED THE AGENCY TO SEND SUCH NOTICES, BILLS AND/OR OTHER COMMUNICATIONS  
9 BY ELECTRONIC MEANS.

10 2. IN ANY LAW, RULE OR REGULATION THAT REQUIRES OR AUTHORIZES A  
11 NOTICE, BILL OR OTHER COMMUNICATION TO BE MAILED, THE REFERENCE TO MAIL  
12 SHALL BE DEEMED TO INCLUDE ELECTRONIC TRANSMITTAL OF SUCH NOTICE, BILL  
13 OR OTHER COMMUNICATION TO ANY PERSON WHO HAS AUTHORIZED THE AGENCY TO  
14 SEND NOTICES, BILLS AND/OR OTHER COMMUNICATIONS BY ELECTRONIC MEANS  
15 PURSUANT TO THIS SECTION, AND ANY NOTICE, BILL OR OTHER COMMUNICATION  
16 SENT BY ELECTRONIC MEANS TO SUCH A PERSON SHALL HAVE THE SAME FORCE AND  
17 EFFECT AS ANY NOTICE, BILL OR OTHER COMMUNICATION SENT BY MAIL.

18 3. IN ANY LAW, RULE OR REGULATION THAT REQUIRES OR AUTHORIZES A  
19 NOTICE, BILL OR OTHER COMMUNICATION TO BE SENT, A REFERENCE TO THE LAST  
20 KNOWN ADDRESS SHALL BE DEEMED TO REFER TO THE LAST KNOWN ELECTRONIC  
21 MAILING ADDRESS OF ANY PERSON WHO HAS AUTHORIZED THE AGENCY RESPONSIBLE  
22 FOR SENDING THE NOTICE, BILL OR OTHER COMMUNICATION TO SEND NOTICES,

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

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1 BILLS AND/OR OTHER COMMUNICATIONS BY ELECTRONIC MEANS PURSUANT TO THIS  
2 SECTION.

3 4. ANY LAW, RULE OR REGULATION THAT, AS OF THE EFFECTIVE DATE OF THIS  
4 SECTION, AUTHORIZES AN AGENCY TO SEND BILLS, NOTICES OR OTHER COMMUNI-  
5 CATIONS BY ELECTRONIC MEANS SHALL NOT BE AFFECTED BY THIS SECTION.

6 S 2. This act shall take effect immediately.