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

5257

2013-2014 Regular Sessions

I N S E N A T E

May 15, 2013

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:

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

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

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

3. IN ANY LAW, RULE OR REGULATION THAT REQUIRES OR AUTHORIZES A NOTICE, BILL OR OTHER COMMUNICATION TO BE SENT, A REFERENCE TO THE LAST KNOWN ADDRESS SHALL BE DEEMED TO REFER TO THE LAST KNOWN ELECTRONIC MAILING ADDRESS OF ANY PERSON WHO HAS AUTHORIZED THE AGENCY RESPONSIBLE 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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BILLS AND/OR OTHER COMMUNICATIONS BY ELECTRONIC MEANS PURSUANT TO THIS SECTION.

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

S 2. This act shall take effect immediately.