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

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I N A S S E M B L Y

April 25, 2014

Introduced by M. of A. TITUS, ROBERTS, COOK, MOSLEY, COLTON, STECK -- Multi-Sponsored by -- M. of A. ARROYO, PERRY -- read once and referred to the Committee on Consumer Affairs and Protection

AN ACT to amend the general business law, in relation to authorizing a parent access to retrieve and view text messages on a minor child's telephone

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

Section 1. Section 399-dd of the general business law, as added by chapter 487 of the laws of 2006, is renumbered section 676 and a new section 677 is added to read as follows:

S 677. CONTRACT OPTION TO VIEW CHILD'S TEXT MESSAGES. 1. A CONTRACT BETWEEN A TELEPHONE COMPANY AND A CUSTOMER SHALL OFFER THE CUSTOMER THE OPTION TO RETRIEVE AND VIEW TEXT MESSAGES THAT ARE SENT FROM OR RECEIVED BY THE CUSTOMER'S MINOR CHILD'S TELEPHONE. THE CONTRACT MAY INCLUDE AN ADDITIONAL FEE FOR THIS OPTION.

2. FOR THE PURPOSES OF THIS SECTION, THE TERMS "TELEPHONE COMPANY", "TELEPHONE", AND "CUSTOMER" SHALL HAVE THE SAME MEANING AS IN SUBDIVISION ONE OF SECTION SIX HUNDRED SEVENTY-SEVEN OF THIS ARTICLE.

S 2. Sections 676 and 677 of the general business law, section 676 as renumbered and section 677 as added by section one of this act, are designated article 32-A and a new article heading is added to read as follows:

TELEPHONE RECORDS AND ACCESS

S 3. This act shall take effect immediately.

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

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