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

5382--A

2015-2016 Regular Sessions

I N A S S E M B L Y

February 20, 2015

Introduced by M. of A. BRENNAN, COLTON, ROSENTHAL, MOSLEY, CYMBROWITZ, CRESPO, GOTTFRIED, RIVERA, BROOK-KRASNY -- Multi-Sponsored by -- M. of A. DAVILA, ROBINSON, THIELE -- read once and referred to the Committee on Corporations, Authorities and Commissions -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the public authorities law, the executive law and the state finance law, in relation to requiring the provision of telephone service in other languages

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

Section 1. The public authorities law is amended by adding two new sections 2858 and 2882 to read as follows:

S 2858. TELEPHONE SERVICE LANGUAGES. 1. ANY PUBLIC AUTHORITY OR PUBLIC BENEFIT CORPORATION THAT DIRECTLY OPERATES A TELEPHONE ANSWERING SERVICE TO RESPOND TO INQUIRIES, QUESTIONS OR COMPLAINTS MADE BY THE GENERAL PUBLIC, INCLUDING THE RESIDENTS OF THE COUNTIES OF BRONX, KINGS, NEW YORK, QUEENS AND RICHMOND, SHALL ENSURE THAT SUCH SERVICE BE PROVIDED IN ENGLISH, CHINESE, FRENCH CREOLE, KOREAN, RUSSIAN AND SPANISH.

2. (A) COMMENCING WITH CALENDAR YEAR TWO THOUSAND TWENTY, AND EVERY FIVE YEARS THEREAFTER, ANY PUBLIC AUTHORITY OR PUBLIC BENEFIT CORPORATION SUBJECT TO THE PROVISIONS OF SUBDIVISION ONE OF THIS SECTION SHALL STUDY AND PERUSE THE MOST RECENT POPULATION DATA COMPILED AND PUBLISHED BY THE UNITED STATES CENSUS BUREAU TO DETERMINE WHETHER A LANGUAGE OTHER THAN THOSE LANGUAGES REFERRED TO IN SUBDIVISION ONE OF THIS SECTION IS SPOKEN BY MORE THAN TWO PER CENT (2%) OF THE TOTAL RESIDENTS OF THE COUNTIES OF THE BRONX, KINGS, NEW YORK, QUEENS AND RICHMOND.

(B) IF IT IS DETERMINED THAT A LANGUAGE OTHER THAN THOSE LANGUAGES REFERRED TO IN SUBDIVISION ONE OF THIS SECTION IS SPOKEN BY MORE THAN TWO PER CENT (2%) OF THE TOTAL RESIDENTS OF THE COUNTIES OF THE BRONX,

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

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KINGS, NEW YORK, QUEENS AND RICHMOND, THE PUBLIC AUTHORITY SHALL ENSURE THAT SUCH ADDITIONAL LANGUAGE IS PROVIDED TO THE RESIDENTS OF SUCH COUNTIES AS REQUIRED BY SUBDIVISION ONE OF THIS SECTION.

S 2882. TELEPHONE SERVICE LANGUAGES. 1. NOTWITHSTANDING ANY PROVISION OF LAW TO THE CONTRARY, ALL CONTRACTS, WITH A VALUE OF ONE MILLION DOLLARS OR MORE, MADE AND AWARDED BY ANY PUBLIC AUTHORITY OR PUBLIC BENEFIT CORPORATION TO OPERATE OR OTHERWISE PROVIDE A TELEPHONE ANSWERING SERVICE TO RESPOND TO INQUIRIES, QUESTIONS OR COMPLAINTS MADE BY THE GENERAL PUBLIC, INCLUDING THE RESIDENTS OF THE COUNTIES OF BRONX, KINGS, NEW YORK, QUEENS AND RICHMOND, SHALL REQUIRE THAT SUCH SERVICE BE PROVIDED IN ENGLISH, CHINESE, FRENCH CREOLE, KOREAN, RUSSIAN AND SPANISH.

2. (A) COMMENCING WITH CALENDAR YEAR TWO THOUSAND TWENTY, AND EVERY FIVE YEARS THEREAFTER, ANY PUBLIC AUTHORITY OR PUBLIC BENEFIT CORPORATION SUBJECT TO THE PROVISIONS OF SUBDIVISION ONE OF THIS SECTION SHALL STUDY AND PERUSE THE MOST RECENT POPULATION DATA COMPILED AND PUBLISHED BY THE UNITED STATES CENSUS BUREAU TO DETERMINE WHETHER A LANGUAGE OTHER THAN THOSE LANGUAGES REFERRED TO IN SUBDIVISION ONE OF THIS SECTION IS SPOKEN BY MORE THAN TWO PER CENT (2%) OF THE TOTAL RESIDENTS OF THE COUNTIES OF THE BRONX, KINGS, NEW YORK, QUEENS AND RICHMOND.

(B) IF IT IS DETERMINED THAT A LANGUAGE OTHER THAN THOSE LANGUAGES REFERRED TO IN SUBDIVISION ONE OF THIS SECTION IS SPOKEN BY MORE THAN TWO PER CENT (2%) OF THE TOTAL RESIDENTS OF THE COUNTIES OF THE BRONX, KINGS, NEW YORK, QUEENS AND RICHMOND, THE PUBLIC AUTHORITY SHALL ENSURE THAT SUCH ADDITIONAL LANGUAGE IS PROVIDED TO THE RESIDENTS OF SUCH COUNTIES AS REQUIRED BY SUBDIVISION ONE OF THIS SECTION.

S 2. Article 7 of the executive law is amended by adding a new section 171 to read as follows:

S 171. TELEPHONE SERVICE LANGUAGES. 1. THE STATE AND ANY STATE AGENCY, AS SUCH TERM IS DEFINED IN PARAGRAPH (A) OF SUBDIVISION ONE OF SECTION EIGHTEEN OF THE STATE FINANCE LAW, THAT DIRECTLY OPERATES A TELEPHONE ANSWERING SERVICE TO RESPOND TO INQUIRIES, QUESTIONS OR COMPLAINTS MADE BY THE GENERAL PUBLIC, INCLUDING THE RESIDENTS OF THE COUNTIES OF BRONX, KINGS, NEW YORK, QUEENS AND RICHMOND, SHALL ENSURE THAT SUCH SERVICE BE PROVIDED IN ENGLISH, CHINESE, FRENCH CREOLE, KOREAN, RUSSIAN AND SPANISH.

2. (A) COMMENCING WITH CALENDAR YEAR TWO THOUSAND TWENTY, AND EVERY FIVE YEARS THEREAFTER, THE STATE AND ANY STATE AGENCY SUBJECT TO THE PROVISIONS OF SUBDIVISION ONE OF THIS SECTION SHALL STUDY AND PERUSE THE MOST RECENT POPULATION DATA COMPILED AND PUBLISHED BY THE UNITED STATES CENSUS BUREAU TO DETERMINE WHETHER A LANGUAGE OTHER THAN THOSE LANGUAGES REFERRED TO IN SUBDIVISION ONE OF THIS SECTION IS SPOKEN BY MORE THAN TWO PER CENT (2%) OF THE TOTAL RESIDENTS OF THE COUNTIES OF THE BRONX, KINGS, NEW YORK, QUEENS AND RICHMOND.

(B) IF IT IS DETERMINED THAT A LANGUAGE OTHER THAN THOSE LANGUAGES REFERRED TO IN SUBDIVISION ONE OF THIS SECTION IS SPOKEN BY MORE THAN TWO PER CENT (2%) OF THE TOTAL RESIDENTS OF THE COUNTIES OF THE BRONX, KINGS, NEW YORK, QUEENS AND RICHMOND, THE STATE OR THE APPLICABLE STATE AGENCY SHALL ENSURE THAT SUCH ADDITIONAL LANGUAGE IS PROVIDED TO THE RESIDENTS OF SUCH COUNTIES AS REQUIRED BY SUBDIVISION ONE OF THIS SECTION.

S 3. The state finance law is amended by adding a new section 139-l to read as follows:

S 139-L. TELEPHONE SERVICE LANGUAGES. 1. NOTWITHSTANDING ANY PROVISION OF LAW TO THE CONTRARY, ALL CONTRACTS, WITH A VALUE OF ONE

MILLION DOLLARS OR MORE, MADE AND AWARDED BY THE STATE OR ANY STATE AGENCY, AS SUCH TERM IS DEFINED IN PARAGRAPH (A) OF SUBDIVISION ONE OF SECTION EIGHTEEN OF THIS CHAPTER, TO OPERATE OR OTHERWISE PROVIDE A TELEPHONE ANSWERING SERVICE TO RESPOND TO INQUIRIES, QUESTIONS OR COMPLAINTS MADE BY THE GENERAL PUBLIC, INCLUDING THE RESIDENTS OF THE COUNTIES OF BRONX, KINGS, NEW YORK, QUEENS AND RICHMOND, SHALL REQUIRE THAT SUCH SERVICE BE PROVIDED IN ENGLISH, CHINESE, FRENCH CREOLE, KOREAN, RUSSIAN AND SPANISH.

2. (A) COMMENCING WITH CALENDAR YEAR TWO THOUSAND TWENTY, AND EVERY FIVE YEARS THEREAFTER, THE STATE AND ANY STATE AGENCY SUBJECT TO THE PROVISIONS OF SUBDIVISION ONE OF THIS SECTION SHALL STUDY AND PERUSE THE MOST RECENT POPULATION DATA COMPILED AND PUBLISHED BY THE UNITED STATES CENSUS BUREAU TO DETERMINE WHETHER A LANGUAGE OTHER THAN THOSE LANGUAGES REFERRED TO IN SUBDIVISION ONE OF THIS SECTION IS SPOKEN BY MORE THAN TWO PER CENT (2%) OF THE TOTAL RESIDENTS OF THE COUNTIES OF THE BRONX, KINGS, NEW YORK, QUEENS AND RICHMOND.

(B) IF IT IS DETERMINED THAT A LANGUAGE OTHER THAN THOSE LANGUAGES REFERRED TO IN SUBDIVISION ONE OF THIS SECTION IS SPOKEN BY MORE THAN TWO PER CENT (2%) OF THE TOTAL RESIDENTS OF THE COUNTIES OF THE BRONX, KINGS, NEW YORK, QUEENS AND RICHMOND, THE STATE OR THE APPLICABLE STATE AGENCY SHALL ENSURE THAT SUCH ADDITIONAL LANGUAGE IS PROVIDED TO THE RESIDENTS OF SUCH COUNTIES AS REQUIRED BY SUBDIVISION ONE OF THIS SECTION.

S 4. This act shall take effect on the thirtieth day after it shall have become a law and shall apply to all contracts awarded or in effect on or after such effective date.