

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:

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

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

9 2. (A) COMMENCING WITH CALENDAR YEAR TWO THOUSAND TWENTY, AND EVERY
10 FIVE YEARS THEREAFTER, ANY PUBLIC AUTHORITY OR PUBLIC BENEFIT CORPO-
11 RATION SUBJECT TO THE PROVISIONS OF SUBDIVISION ONE OF THIS SECTION
12 SHALL STUDY AND PERUSE THE MOST RECENT POPULATION DATA COMPILED AND
13 PUBLISHED BY THE UNITED STATES CENSUS BUREAU TO DETERMINE WHETHER A
14 LANGUAGE OTHER THAN THOSE LANGUAGES REFERRED TO IN SUBDIVISION ONE OF
15 THIS SECTION IS SPOKEN BY MORE THAN TWO PER CENT (2%) OF THE TOTAL RESI-
16 DENTS OF THE COUNTIES OF THE BRONX, KINGS, NEW YORK, QUEENS AND RICH-
17 MOND.

18 (B) IF IT IS DETERMINED THAT A LANGUAGE OTHER THAN THOSE LANGUAGES
19 REFERRED TO IN SUBDIVISION ONE OF THIS SECTION IS SPOKEN BY MORE THAN
20 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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1 KINGS, NEW YORK, QUEENS AND RICHMOND, THE PUBLIC AUTHORITY SHALL ENSURE
2 THAT SUCH ADDITIONAL LANGUAGE IS PROVIDED TO THE RESIDENTS OF SUCH COUN-
3 TIES AS REQUIRED BY SUBDIVISION ONE OF THIS SECTION.

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

13 2. (A) COMMENCING WITH CALENDAR YEAR TWO THOUSAND TWENTY, AND EVERY
14 FIVE YEARS THEREAFTER, ANY PUBLIC AUTHORITY OR PUBLIC BENEFIT CORPO-
15 RATION SUBJECT TO THE PROVISIONS OF SUBDIVISION ONE OF THIS SECTION
16 SHALL STUDY AND PERUSE THE MOST RECENT POPULATION DATA COMPILED AND
17 PUBLISHED BY THE UNITED STATES CENSUS BUREAU TO DETERMINE WHETHER A
18 LANGUAGE OTHER THAN THOSE LANGUAGES REFERRED TO IN SUBDIVISION ONE OF
19 THIS SECTION IS SPOKEN BY MORE THAN TWO PER CENT (2%) OF THE TOTAL RESI-
20 DENTS OF THE COUNTIES OF THE BRONX, KINGS, NEW YORK, QUEENS AND RICH-
21 MOND.

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

28 S 2. Article 7 of the executive law is amended by adding a new section
29 171 to read as follows:

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

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

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

53 S 3. The state finance law is amended by adding a new section 139-1 to
54 read as follows:

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

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

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

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

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