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

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2015-2016 Regular Sessions

I N A S S E M B L Y

June 24, 2015

Introduced by M. of A. CRESPO -- read once and referred to the Committee on Governmental Operations

AN ACT to amend the general business law, in relation to requiring internet service providers to develop and implement an emergency alert notification system

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

Section 1. The general business law is amended by adding a new section 394-ccc to read as follows:

S 394-CCC. EMERGENCY ALERT NOTIFICATION SYSTEM; INTERNET SERVICE PROVIDERS. 1. AS USED IN THIS SECTION, THE FOLLOWING TERMS SHALL HAVE THE FOLLOWING MEANINGS:

(A) "VIDEO STREAMING SERVICE" MEANS AN ENTITY DIRECTLY IN THE BUSINESS, FOR PROFIT, OF OFFERING, PROMOTING OR PROVIDING ACCESS TO FILMS, TELEVISION SHOWS OR OTHER VIDEO CONTENT FOR VIEWING ON OR THROUGH THE INTERNET.

(B) "INTERNET SERVICE PROVIDER" MEANS ANY PERSON, BUSINESS OR ORGANIZATION QUALIFIED TO DO BUSINESS IN THIS STATE THAT PROVIDES INDIVIDUALS, CORPORATIONS, OR OTHER ENTITIES WITH THE ABILITY TO CONNECT TO THE INTERNET THROUGH EQUIPMENT THAT IS LOCATED IN THIS STATE.

(C) "CLIENT" MEANS A CUSTOMER OR PARTICIPANT WHO PAYS A FEE AND/OR SUBMITS IDENTIFYING INFORMATION TO JOIN AN INTERNET SERVICE PROVIDER IN ORDER TO ACCESS THE INTERNET.

(D) "NEW YORK CLIENTS" MEANS A CLIENT WHO PROVIDES AN IN-STATE BILLING ADDRESS OR ZIP CODE WHEN REGISTERING WITH THE PROVIDER.

2. AN INTERNET SERVICE PROVIDER THAT SUPPORTS THE TRANSMISSION OF VIDEO STREAMING SERVICES TO NEW YORK CLIENTS SHALL DEVELOP AND IMPLEMENT AN EMERGENCY ALERT NOTIFICATION SYSTEM TO BE USED WHILE NEW YORK CLIENTS ACCESS SUCH VIDEO STREAMING SERVICE. SUCH EMERGENCY ALERT NOTIFICATION SYSTEM SHALL CONVEY TIMELY INFORMATION CONCERNING EMERGENCY INCIDENTS OR OCCURRENCES, INCLUDING, BUT NOT LIMITED TO SEVERE WEATHER, THAT POSE AN

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

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IMMINENT THREAT TO THE HEALTH OR SAFETY OF A SUBSTANTIAL NUMBER OF NEW YORK CLIENTS IN A PARTICULAR LOCATION. SUCH EMERGENCY ALERT NOTIFICATION SYSTEM SHALL INCLUDE, BUT NOT BE LIMITED TO, SCROLLING EMERGENCY INFORMATION AT THE TOP OR BOTTOM OF THE VIDEO STREAMING SERVICE'S VIDEO DISPLAY.

S 2. This act shall take effect on the ninetieth day after it shall have become a law.