

# STATE OF NEW YORK

8010--B

Cal. No. 840

2017-2018 Regular Sessions

## IN ASSEMBLY

May 25, 2017

Introduced by M. of A. DINOWITZ, VANEL -- read once and referred to the Committee on Corporations, Authorities and Commissions -- reported and referred to the Committee on Codes -- reported and referred to the Committee on Rules -- Rules Committee discharged, bill amended, ordered reprinted as amended and recommitted to the Committee on Rules -- advanced to a third reading, passed by Assembly and delivered to the Senate, recalled from the Senate, vote reconsidered, bill amended, ordered reprinted, retaining its place on the order of third reading

AN ACT to amend the public service law, in relation to discrimination in franchises and privileges

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. The public service law is amended by adding a new section  
2 103 to read as follows:

3 § 103. Commercial landlord-tenant relationship. 1. No landlord of a  
4 commercial property shall (a) interfere with the installation of tele-  
5 phone corporation facilities upon such property or premises, except that  
6 a landlord of a commercial property may require:

7 (1) that the installation of telephone corporation facilities conform  
8 to such reasonable conditions as are necessary to protect the safety,  
9 functioning and appearance of the premises, and the convenience and  
10 well-being of other tenants;

11 (2) that the telephone corporation bear the entire cost of the instal-  
12 lation, operation or removal of such facilities; and

13 (3) that the telephone corporation agree to indemnify the landlord of  
14 the commercial property for any damage caused by the installation, oper-  
15 ation or removal of such facilities;

16 (b) demand or accept payment from any commercial tenant, in any form,  
17 in exchange for permitting telephone corporation services on or within  
18 such commercial property or premises, or from any telephone corporation

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

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1 in exchange therefor in excess of any amount which the commission shall,  
2 by regulation, determine to be reasonable; or

3 (c) discriminate in rental charges or otherwise, between commercial  
4 tenants who receive telephone corporation services and those who do not.

5 2. No telephone corporation may enter into any agreement with the  
6 owners, lessees or persons controlling or managing commercial buildings  
7 served by a telephone corporation, or do or permit any act, that would  
8 have the effect, directly or indirectly of diminishing or interfering  
9 with existing rights of any tenant or other occupant of such building to  
10 use or avail himself or herself of telecommunications services.

11 § 2. This act shall take effect immediately and shall apply to leases  
12 entered into, modified or renewed on and after such date.