

STATE OF NEW YORK

8311--A

IN SENATE

April 30, 2018

Introduced by Sens. GRIFFO, BONACIC, HELMING, SEPULVEDA -- read twice and ordered printed, and when printed to be committed to the Committee on Energy and Telecommunications -- reported favorably from said committee and committed to the Committee on Finance -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

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:

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

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

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

(2) that the telephone corporation bear the entire cost of the installation, operation or removal of such facilities; and

(3) that the telephone corporation agree to indemnify the landlord of the commercial property for any damage caused by the installation, operation or removal of such facilities;

(b) demand or accept payment from any commercial tenant, in any form, in exchange for permitting telephone corporation services on or within such commercial property or premises, or from any telephone corporation in exchange therefor in excess of any amount which the commission shall, by regulation, determine to be reasonable; or

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

2. No telephone corporation may enter into any agreement with the owners, lessees or persons controlling or managing commercial buildings

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

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1 served by a telephone corporation, or do or permit any act, that would
2 have the effect, directly or indirectly of diminishing or interfering
3 with existing rights of any tenant or other occupant of such building to
4 use or avail himself or herself of telecommunications services.

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