STATE OF NEW YORK

4140--A

2017-2018 Regular Sessions

IN ASSEMBLY

February 1, 2017

Introduced by M. of A. CRESPO, PEOPLES-STOKES, SEPULVEDA, MAGNARELLI, COLTON, ROSENTHAL, TITONE, COOK, BLAKE, D'URSO -- Multi-Sponsored by -- M. of A. DICKENS, GIGLIO, HYNDMAN, JEAN-PIERRE, JOYNER, LIFTON, B. MILLER, PALMESANO, SIMON, STIRPE -- read once and referred to the Committee on Governmental Operations -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to study the feasibility of implementing an emergency alert notification system; and providing for the repeal of such provisions upon expiration thereof

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

Section 1. 1. The public service commission, hereinafter referred to as "the commission", in conjunction with the commissioner of the division of homeland security and emergency services, and in consultation with the disaster preparedness commission, and any other entity the commission and commissioner of the division of homeland security and emergency services deems appropriate, shall study the feasibility of implementing an emergency alert notification system that requires alerts to be displayed while using a video streaming service.

For the purposes of this act, "video streaming service" shall mean 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.

2. The feasibility study of such emergency alert notification system shall include, but not be limited to, the following:

(a) examining ways to ensure that such emergency alert notification system shall convey timely information concerning emergency incidents or occurrences, including, but not limited to severe weather, that pose an imminent threat to the health or safety of individuals in New York;

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

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(b) examining how an emergency alert notification shall be displayed while using a video streaming service;

(c) examining how internet service providers and video streaming services would ensure such emergency alert notifications are displayed to users impacted by such emergency;

(d) examining relevant federal, state, and local laws, rules, regulations, and guidelines; and

(e) recommending statutory changes, if any, to implement such emergency alert notification system.

3. Such feasibility study shall be submitted to the governor, the temporary president of the senate, and the speaker of the assembly within 12 months of the effective date of this act and shall be publicly posted on the websites of the commission and the division of homeland security and emergency services.

4. The commission and the commissioner of the division of homeland security and emergency services may request, and is authorized to receive, any information from any state or local agency that is relevant and material to the completion of such feasibility study. Such information received by the commission and commissioner of the division of homeland security and emergency services shall be subject to the same requirements for confidentiality and limitations on use, if any, as are applicable to such state or local agency's use of such information.

5. The commission and the commissioner of the division of homeland security and emergency services are authorized and directed to use existing commission and division of homeland security and emergency services' resources to carry out the provisions of this act.

§ 2. This act shall take effect immediately and shall expire and be deemed repealed two years after such effective date, or upon delivery of the feasibility study required by section one this act, whichever comes first; provided that the commissioner of the division of homeland security and emergency services shall notify the legislative bill drafting commission upon delivery of the feasibility study required by section one of this act in order that the commission may maintain an accurate and timely effective data base of the official text of the laws of the state of New York in furtherance of effectuating the provisions of section 44 of the legislative law and section 70-b of the public officers law.