

# STATE OF NEW YORK

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4383--A

2017-2018 Regular Sessions

## IN SENATE

February 10, 2017

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Introduced by Sens. ALCANTARA, ADDABBO -- read twice and ordered printed, and when printed to be committed to the Committee on Consumer Protection -- 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:

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

9 For the purposes of this act, "video streaming service" shall mean an  
10 entity directly in the business, for profit, of offering, promoting or  
11 providing access to films, television shows or other video content for  
12 viewing on or through the internet.

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

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

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

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

LBD08174-05-7

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

4 (d) examining relevant federal, state, and local laws, rules, regu-  
5 lations, and guidelines; and

6 (e) recommending statutory changes, if any, to implement such emergen-  
7 cy alert notification system.

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

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

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

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