STATE OF NEW YORK

10475

IN ASSEMBLY

May 22, 2020

Introduced by COMMITTEE ON RULES -- (at request of M. of A. Jacobson) -- read once and referred to the Committee on Consumer Affairs and Protection

AN ACT to amend the general business law, in relation to requiring that internet providers who provide service in a municipality provide basic internet service to each residential dwelling or residential dwelling unit in that municipality at no cost

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 390-d to read as follows:

§ 390-d. Provision of internet services. 1. The provisions of this section shall apply to every provider of a broadband internet line which lies wholly within the state and that part within the state of New York of every broadband internet line which lies partly within and partly without the state and to the persons, entities or corporations owning, leasing or operating any such broadband internet line.

2. As used in this section, "internet service provider" means any person, business, entity or organization qualified to do business in this state that provides individuals, corporations, or other entities within the state with the ability to connect to the internet through equipment that is located in this state.

3. Each internet provider that provides service to customers within a municipality shall provide basic internet service to each residential dwelling or unit contained within such residential dwelling in that municipality at no cost to the persons occupying such dwelling or unit.

4. The public service commission shall promulgate rules and regulations to effectuate the provisions of this section, including, but not limited to the following:

(a) rules and regulations to apportion the responsibility of each provider in the event that a municipality has authorized more than one internet provider to operate within the geographic area of the municipality; and

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

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(b) rules and regulations to ensure such compliance internet service providers with the provisions of this section.

5. No internet service provider shall assign or transfer liability for its obligations under this section to any other person, business, entity or organization or contract for any other person, business, entity or organization to perform the internet service provider's duties under this section without the prior written consent of the public service commission.

§ 2. This act shall take effect on the one hundred twentieth day after it shall have become a law. Effective immediately, the addition, amendment, and/or repeal of any rule or regulation necessary for the implementation of this act on its effective date are authorized to be made and completed on or before such effective date.