STATE OF NEW YORK

5523

2019-2020 Regular Sessions

IN SENATE

May 6, 2019

Introduced by Sens. MAY, METZGER -- read twice and ordered printed, and when printed to be committed to the Committee on Finance

AN ACT to amend the state finance law, in relation to establishing the municipal broadband fund

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

Section 1. The state finance law is amended by adding a new section 99-hh to read as follows:

§ 99-hh. Municipal broadband fund. 1. There is hereby established in the joint custody of the state comptroller and the chair of the public service commission a fund to be known as the "municipal broadband fund".

2. Such fund shall consist of all monies appropriated for its purpose, all other monies credited or transferred to such fund pursuant to law, and all monies required by this section or any other provision of law to be paid into or credited to such fund.

3. Moneys of such fund shall be made available to the chair of the public service commission and shall be used for grants to municipal corporations, as that term is defined in section two of the general municipal law, for broadband projects and services that are funded wholly or partially by such municipal corporations. To qualify for such grants, a municipal corporation shall: (a) incorporate the best practicable technology for the region to be served by such broadband; (b) demonstrate how such municipal corporation will ensure equitable internet access to all areas within the service region, with a focus on providing service to underserviced areas; and (c) demonstrate the long-term viability and sustainability of broadband services to residents of the municipal corporation.

4. Following appropriation by the legislature, monies of the fund shall be available only for distribution to municipal corporations for eligible broadband projects and services.

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

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5. The chair of the public service commission shall promulgate rules and regulations necessary for the implementation of this act, including the application and distribution of funds pursuant to this section, provided that such rules and regulations shall set forth a plan that will ensure equitable internet access to all areas within a service region as required by paragraph (b) of subdivision three of this section.

§ 2. This act shall take effect on the ninetieth 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 date.