STATE OF NEW YORK

9285

IN ASSEMBLY

February 16, 2022

Introduced by M. of A. TAPIA -- read once and referred to the Committee on Corporations, Authorities and Commissions

AN ACT to amend the public service law, in relation to fiber-based services being provided to tenants

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

Section 1. Subdivision 3 of section 104 of the public service law, as added by a chapter of the laws of 2021 relating to facilitating access to telephone providers to deliver fiber-based services, as proposed in legislative bills numbers S. 5868-A and A. 7214-A, is amended and a new subdivision 4 is added to read as follows:

3. A landlord or property owner may require: (a) that the telephone corporation or the tenant or a combination thereof bear the entire cost of the installation, operation or removal of such facilities; [~~and~~] (b) that the telephone corporation agrees to indemnify the landlord or property owner for any damage caused by the installation, operation or removal of such facilities**; and (c) that the installation of the fiber optic 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**.

4. No landlord shall: (a) demand or accept payment from any tenant, in any form, in exchange for permitting fiber optic service on or within such landlord's property or premises; or (b) discriminate in rental charges or otherwise, between tenants who receive fiber optic service and those who do not.

§ 2. This act shall take effect on the same date and in the same manner as a chapter of the laws of 2021 relating to facilitating access to telephone providers to deliver fiber-based services, as proposed in legislative bills numbers S. 5868-A and A. 7214-A, takes effect.

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

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