STATE OF NEW YORK

1631

2021-2022 Regular Sessions

IN SENATE

January 14, 2021

Introduced by Sen. KENNEDY -- read twice and ordered printed, and when printed to be committed to the Committee on Transportation

AN ACT to amend the transportation law and the public service law, in relation to requiring highway projects that receive state funding to include the installation of broadband conduits and providing for access to such conduits

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

Section 1. The transportation law is amended by adding a new section 23 to read as follows:

§ 23. Broadband conduit requirement for certain highway projects. Notwithstanding any provision of law to the contrary, any highway project which receives state funding shall include the installation of conduits suitable for fiber optic cables or wireless facilities that support broadband services.

§ 2. The public service law is amended by adding a new section 119-d to read as follows:

§ 119-d. Broadband conduit access. The commission, in consultation with the department of transportation, shall ensure that any requesting provider of broadband services has access to any broadband conduit installed pursuant to the provisions of section twenty-three of the transportation law. Such access shall be on a competitively neutral and nondiscriminatory basis, for a charge not to exceed a cost-based rate.

§ 3. This act shall take effect on the ninetieth day after it shall have become a law.

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

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