

# STATE OF NEW YORK

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1826--B

Cal. No. 248

2021-2022 Regular Sessions

## IN SENATE

January 16, 2021

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Introduced by Sens. SKOUFIS, ADDABBO -- read twice and ordered printed, and when printed to be committed to the Committee on Finance -- committee discharged and said bill committed to the Committee on Procurement and Contracts -- reported favorably from said committee, ordered to first report, amended on first report, ordered to a second report and ordered reprinted, retaining its place in the order of second report -- recommitted to the Committee on Procurement and Contracts in accordance with Senate Rule 6, sec. 8 -- reported favorably from said committee, ordered to first and second report, ordered to a third reading, passed by Senate and delivered to the Assembly, recalled, vote reconsidered, restored to third reading, amended and ordered reprinted, retaining its place in the order of third reading

AN ACT to amend the state finance law, in relation to requiring a call-blocking service to be provided in state contracts that include procurement if a voice service

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

1 Section 1. The state finance law is amended by adding a new section  
2 149 to read as follows:

3 § 149. Automated call software. 1. As used in this section:

4 (a) "voice service" (i) means any service that is interconnected with  
5 the public switched telephone network and that furnishes voice communi-  
6 cations to an end user using resources from the North American Numbering  
7 Plan or any successor to the North American Numbering Plan adopted by  
8 the commission under section 251(e)(1) of the federal Communications Act  
9 of 1934, as amended; and (ii) includes (A) transmissions from a tele-  
10 phone facsimile machine, computer, or other device to a telephone  
11 facsimile machine; and (B) without limitation, any service that enables  
12 real-time, two-way voice communications, including any service that  
13 requires internet protocol-compatible customer premises equipment and

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

LBD04063-05-2

1 permits out-bound calling, whether or not such service is one-way or  
2 two-way voice over internet protocol;

3 (b) "caller identification information" means information provided to  
4 an end user by a caller identification service regarding the telephone  
5 number of, or other information regarding the origination of, a call  
6 made using a voice service;

7 (c) "caller identification service" means any service or device  
8 designed to provide the user of the service or device with the telephone  
9 number of, or other information regarding the origination of, a call  
10 made using a voice service. Such term includes automatic number iden-  
11 tification services; and

12 (d) "call-blocking service" means any service that (i) uses reasonable  
13 analytics designed to identify unwanted calls; and (ii) blocks calls  
14 identified by such analytics.

15 2. Notwithstanding any other provision of law to the contrary, where a  
16 contract that includes the procurement of a voice service is to be  
17 awarded by a state agency, public authority or municipality, pursuant to  
18 a competitive bidding process or a request for proposal process, such  
19 contract shall require that any voice service furnished to the state or  
20 any of its political subdivisions shall include a call-blocking service.

21 3. A voice service provider that provides a call-blocking service  
22 pursuant to this section shall not be subject to any civil or criminal  
23 liability on the basis that such call-blocking service blocked a call  
24 that was wanted or failed to block a call that was unwanted.

25 § 2. This act shall take effect on the first of January next succeed-  
26 ing the date it shall have become a law.