

# STATE OF NEW YORK

695--A

2021-2022 Regular Sessions

## IN SENATE

(Prefiled)

January 6, 2021

Introduced by Sens. KAPLAN, HARCKHAM -- read twice and ordered printed, and when printed to be committed to the Committee on Energy and Telecommunications -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the general business law, in relation to requiring cell towers to be equipped with a back-up power source in case of a power outage

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

1 Section 1. The general business law is amended by adding a new section  
2 399-yyy to read as follows:

3 § 399-yyy. Macro cell tower sites; back-up power. 1. Every owner or  
4 operator of macro cell tower sites located in this state shall, to the  
5 extent practicable, equip all such macro cell tower sites with an emer-  
6 gency back-up power source capable of providing adequate power to main-  
7 tain the operation of such macro cell tower sites in the case of a loss  
8 of power. Such emergency back-up power source shall use a renewable  
9 energy system, fuel cell electric generating equipment, or an energy  
10 storage system and be capable of powering a macro cell tower site for a  
11 minimum of at least seventy-two hours.

12 2. For the purposes of this section, "macro cell tower site" shall  
13 mean the place where wireless telecommunications equipment and network  
14 components, including towers, transmitters, base stations, and emergency  
15 powers necessary for providing wide area outdoor service, are located. A  
16 macro cell tower site shall not include rooftop, small cell, or outdoor  
17 and indoor distributed antenna system sites.

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

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

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