STATE OF NEW YORK

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IN ASSEMBLY

(Prefiled)

January 6, 2021

Introduced by M. of A. PAULIN, BUTTENSCHON, LAVINE, ENGLEBRIGHT, CYMBROWITZ, GRIFFIN, GOTTFRIED, DINOWITZ, STERN, CRUZ, ZEBROWSKI, COLTON, J. RIVERA, LUPARDO, JEAN-PIERRE, THIELE, BRABENEC, MONTESANO, SCHMITT, BYRNE, REILLY, SMULLEN, McDONOUGH, COOK, GALEF, SAYEGH, REYES, WALCZYK, HYNDMAN, ABINANTI, NIOU, OTIS, ZINERMAN, DeSTEFANO, BARRON -- Multi-Sponsored by -- M. of A. HEVESI, MANKTELOW, SIMON -- read once and referred to the Committee on Consumer Affairs and Protection -- reported from committee, advanced to a third reading, amended and ordered reprinted, retaining its place on the order of third reading

AN ACT to amend the general business law, in relation to telecommunication companies blocking certain numbers

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

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

§ 399-z-1. Telecommunication companies blocking certain numbers. 1. As used in this section, the following terms shall have the following meanings:

a. "caller identification information" means information provided by a caller identification service regarding the telephone number and the name of the person calling;

b. "caller identification service" means a service that allows a telephone subscriber to have the telephone number, and, where available, name of the calling party transmitted contemporaneously with the telephone call, and displayed on a device in or connected to the subscriber's telephone;

c. "pooling administrator" means the thousands-block pooling administrator as identified in 47 C.F.R. § 52.20; and

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

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d. "provider" means a telecommunication company that provides voice communications services to customers in this state.

2. Consistent with authorization provided by federal law and rules of the federal communications commission or its successors:

a. providers shall block a voice call when the subscriber to which the originating number is assigned has requested that calls purporting to originate from that number be blocked because the number is used for inbound calls only; and

b. providers shall block calls originating from the following numbers:

(i) a number that is not a valid North American numbering plan number;

(ii) a valid North American numbering plan number that is not allocated to a provider by the North American numbering plan administrator or the pooling administrator; and

(iii) a valid North American numbering plan number that is allocated to a provider by the North American number plan administrator or pooling administrator, but is unused, so long as the provider blocking the calls is the allocatee of the number and confirms that the number is unused or has obtained verification from the allocatee that the number is unused at the time of the blocking.

c. providers shall not block a voice call if the call is an emergency call placed to 911.

d. providers shall not block a voice call to a subscriber who has requested that no inbound calls be blocked.

3. For purposes of blocking calls from certain originating numbers as authorized in this section, a provider may rely on caller identification service information to determine the originating number.

4. Notwithstanding any other provision of law, rule, or regulation, a voice service provider shall be considered to be in compliance with this section and any rule or regulation adopted thereunder if such provider has filed a certification with the federal communications commission that the provider's traffic is either signed with STIR/SHAKEN or subject to a compliant robocall mitigation program. A copy of such certification shall be made available to the attorney general or the public service commission, upon request.

§ 2. This act shall take effect immediately.