

# STATE OF NEW YORK

6763--B

2021-2022 Regular Sessions

## IN ASSEMBLY

March 29, 2021

Introduced by M. of A. KELLES, MITAYNES, FAHY, ENGLEBRIGHT -- read once and referred to the Committee on Local Governments -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- recommitted to the Committee on Local Governments in accordance with Assembly Rule 3, sec. 2 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the general municipal law, in relation to Internet access and communications for municipalities

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

1 Section 1. The general municipal law is amended by adding a new  
2 section 99-y to read as follows:

3 § 99-y. Internet access and communications. 1. The governing body of  
4 any municipal corporation is hereby authorized and empowered to estab-  
5 lish, construct, and maintain broadband and related telecommunications  
6 infrastructure, or to contract for the construction and maintenance of  
7 such services with a corporation or nonprofit organization, and for the  
8 maintenance, care, and replacement of infrastructure in connection ther-  
9 ewith, if such governing body finds that such facilities are necessary.  
10 Such municipal corporation shall be authorized to operate directly, or  
11 contract for the provision of, such broadband services within such  
12 municipal corporation. For the purposes of this section, "nonprofit  
13 organization" shall mean a corporation having tax exempt status under  
14 section 501 (c) (3) of the United States Internal Revenue Code, or any  
15 organization incorporated under the not-for-profit corporation law.

16 2. Any municipal corporation that has established, constructed and  
17 maintained broadband and related telecommunications infrastructure, or  
18 contracted for such services pursuant to subdivision one of this section  
19 may, for the purpose of providing funds for such services, issue and  
20 sell bonds or other municipal obligations as provided in the local

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

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- 1 finance law and other applicable law and statutes. Principal and inter-
- 2 est payments on such bonds or other municipal obligations may be made in
- 3 whole or in part from any proceeds from such broadband services.
- 4     § 2. This act shall take effect immediately.