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:

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

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

2. Any municipal corporation that has established, constructed and maintained broadband and related telecommunications infrastructure, or contracted for such services pursuant to subdivision one of this section may, for the purpose of providing funds for such services, issue and 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.

LBD04718-11-2

finance law and other applicable law and statutes. Principal and interest payments on such bonds or other municipal obligations may be made in whole or in part from any proceeds from such broadband services.

§ 2. This act shall take effect immediately.