

STATE OF NEW YORK

3593--B

2021-2022 Regular Sessions

IN SENATE

January 30, 2021

Introduced by Sens. BIAGGI, BAILEY, BRISPORT, CLEARE, GIANARIS, GOUNARDES, HARCKHAM, HINCHEY, HOYLMAN, JACKSON, KAMINSKY, KENNEDY, MYRIE, RAMOS, RIVERA, SALAZAR, SANDERS, SEPULVEDA, SERRANO -- read twice and ordered printed, and when printed to be committed to the Committee on Social Services -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the social services law, in relation to providing internet access to all individuals residing in temporary housing; and to amend the New York state urban development corporation act, in relation to the ConnectAll digital equity grant program

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

1 Section 1. Subdivision (k) of section 17 of the social services law,
2 as relettered by chapter 424 of the laws of 2017, is relettered subdivi-
3 sion (l) and new subdivision (k) is added to read as follows:

4 (k) require that all temporary housing facilities shall provide unin-
5 terrupted access to high-speed broadband internet service and WiFi
6 service to all individuals residing in such temporary housing. The WiFi
7 service shall be made available throughout all private and common areas
8 accessible to residents. Such WiFi service must be accessible through
9 personal devices of the residents. The WiFi service signal strength
10 shall be consistent and sufficient to support simultaneous use by all
11 residents. For the purposes of this section, the term "high-speed broad-
12 band internet service" means internet service with download speeds of at
13 least one gigabit per second and upload speeds of one gigabit per
14 second, or if such speeds are not available the maximum download and
15 upload speeds commercially available within the local social services
16 district, unless a plan with lower speeds is deemed sufficient and
17 approved by the Division of Broadband Access of the New York state urban

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

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1 development corporation, and the term "WiFi service" means access to
2 high-speed broadband internet through wireless router which connects to
3 the internet by wire or cable. For purposes of this subdivision, tempo-
4 rary housing shall include but not be limited to, shelters for adults,
5 shelters for adult families, small-capacity shelters, shelters for fami-
6 lies with children, domestic violence shelters, runaway and homeless
7 youth shelters, shelters in hotels or shelters for refugees. Each tempo-
8 rary housing facility shall submit their plan to provide internet access
9 pursuant to this subdivision to the department for oversight and
10 approval within one hundred twenty days of the effective date of this
11 subdivision. Temporary housing facilities shall implement and comply
12 with such plans within twelve months of such approval.

13 (1) (i) A temporary housing facility shall not use, disclose, sell,
14 retain, or permit access to the personal information pertaining to a
15 person residing in temporary housing obtained in the course of providing
16 internet access except as required to provide such access without regard
17 to content, application, service, or use of a non-harmful device, or to
18 respond to a warrant issued by a court of competent jurisdiction under
19 the procedures described in the Federal Rules of Criminal Procedure or
20 article six hundred ninety of the criminal procedure law.

21 (ii) For the purposes of this subdivision, personal information shall
22 mean information that directly or indirectly identifies, relates to,
23 describes, is capable of being associated with, or could reasonably be
24 linked to a particular individual, family, or personal device. Informa-
25 tion is reasonably linkable to an individual, family, or personal device
26 if it can be used on its own or in combination with other reasonably
27 available information, regardless of whether such other information is
28 held by the social services district or temporary housing facility, to
29 identify an individual, family, or a personal device.

30 (2) Any contract or agreement for internet access provided by an
31 internet service provider to a temporary housing facility shall have the
32 same terms and conditions, other than the requirements of this section,
33 as the regularly priced comparable internet plan offered by such inter-
34 net service provider.

35 (3) Local social services districts and temporary housing facilities
36 shall not be required to actively monitor or control the information
37 accessed through the WiFi service and shall not be held responsible for
38 any illegal and/or criminal activities committed, orchestrated, or
39 organized through the provided Wifi access by residents.

40 § 2. Section 153 of the social services law is amended by adding a new
41 subdivision 13 to read as follows:

42 13. Notwithstanding any other provision of law to the contrary, one
43 hundred percent of the cost for the expense incurred after the effective
44 date of this subdivision by temporary housing facilities to provide
45 internet access as required by subdivision (k) of section seventeen of
46 this chapter shall be reimbursed by the state.

47 § 3. Subdivision 10 of section 16-gg of section 1 of chapter 174 of
48 the laws of 1968, as added by section 2 of part MMM of chapter 58 of the
49 laws of 2022, is amended to read as follows:

50 10. ConnectAll digital equity grant program. The ConnectAll digital
51 equity grant program is hereby established to support individuals to
52 have the information technology capacity needed for full participation
53 in society and the economy, including the effective implementation of a
54 State Digital Equity Plan or any successor plan and to facilitate, fund,
55 or reimburse, the provision of internet access as provided in subdivi-
56 sion (k) of section 17 and section 153 of the social services law.

1 Grants issued pursuant to this program shall be awarded in a manner and
2 form as determined by the division consistent with all relevant federal
3 laws, codes, rules, and regulations associated with the federal Digital
4 Equity Act as established under the Infrastructure Investment and Jobs
5 Act. The division shall establish such State Digital Equity Plan and the
6 procedures to solicit, receive and evaluate proposals for the program
7 consistent with rules, regulations, or guidelines established by the
8 commissioner.

9 § 4. This act shall take effect immediately. Effective immediately,
10 the addition, amendment and/or repeal of any rule or regulation neces-
11 sary for the implementation of this act on its effective date are
12 authorized to be made and completed on or before such effective date.