STATE OF NEW YORK

5033

2021-2022 Regular Sessions

IN SENATE

February 22, 2021

Introduced by Sens. PARKER, SEPULVEDA -- read twice and ordered printed, and when printed to be committed to the Committee on Internet and Technology

AN ACT in relation to establishing a commission to study and report on the potential implementation of legislation, rules and regulations for an open internet for New Yorkers; and providing for the repeal of such provisions upon expiration thereof

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

Section 1. A ten-member commission is hereby established to assess the potential implementation of legislation, rules and regulations for an open internet for New Yorkers.

§ 2. The commission shall be comprised of:

(a) two members appointed by the temporary president of the senate;

(b) two members appointed by the speaker of the assembly;

(c) two members appointed by the governor;

(d) two members appointed by the chief information officer of the office of information technology services;

(e) one member appointed by the minority leader of the senate; and

(f) one member appointed by the minority leader of the assembly.

§ 3. The commission shall provide a report to the governor, the speaker of the assembly and the temporary president of the senate on or before January 1, 2023. Such report shall include:

(a) any impacts in the New York state internet market of the Federal Communications Commission's repeal of open internet regulations;

(b) an analysis of potential legislation, rules and regulations to advance an open internet in New York state;

(c) any incidences of throttling, blocking, or paid prioritization that have occurred by the internet service providers serving New York state; and

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

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(d) recommendations regarding the advancement of an open internet, along with legislative and regulatory proposals as the commission deems necessary to implement such recommendations.

§ 4. This act shall take effect immediately and shall expire and be deemed repealed January 1, 2023.