

STATE OF NEW YORK

10666

IN ASSEMBLY

July 22, 2024

Introduced by COMMITTEE ON RULES -- (at request of M. of A. Santabarbara) -- read once and referred to the Committee on Corporations, Authorities and Commissions

AN ACT to amend the public service law, in relation to enacting the "internet service outage consumer protection act"

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

1 Section 1. Short title. This act shall be known and may be cited as
2 the "internet service outage consumer protection act".

3 § 2. The public service law is amended by adding a new section 224-d
4 to read as follows:

5 § 224-d. Prorated bill credits for internet service outages. 1. For
6 the purposes of this section:

7 (a) "internet service provider" means any person, business or organ-
8 ization qualified to do business in this state that provides individ-
9 uals, corporations, or other entities with the ability to connect to the
10 internet;

11 (b) "outage" means any period of time during which a consumer's inter-
12 net service is unavailable, excluding scheduled maintenance periods of
13 which the consumer has been notified at least twenty-four hours in
14 advance; and

15 (c) "consumer" means any person or entity that purchases internet
16 service for personal or business use.

17 2. Every internet service provider operating in this state shall issue
18 a prorated bill credit to consumers for any internet service outage
19 lasting more than one hour. Such credit shall be calculated based on the
20 consumer's monthly service rate, prorated for the duration of the
21 outage. Such credit shall be automatically applied to the consumer's
22 next bill cycle without requiring any action or request from the consum-
23 er. Internet service providers shall notify consumers of the outage and
24 the applied credit within twenty-four hours of the restoration of
25 service.

26 3. Internet service providers shall maintain records of all outages
27 and corresponding bill credits issued for a minimum period of three

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

LBD15906-01-4

1 years. Such records shall be made available to the commission upon
2 request for the purpose of ensuring compliance with this section.

3 4. Any internet service provider that fails to issue the required bill
4 credits in accordance with this section shall be subject to penalties,
5 including but not limited to fines, as determined by the commission.

6 § 3. This act shall take effect on the ninetieth day after it shall
7 have become a law.