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:

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

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

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

(a) "internet service provider" means any person, business or organization qualified to do business in this state that provides individuals, corporations, or other entities with the ability to connect to the internet;

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

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

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

3. Internet service providers shall maintain records of all outages 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.

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

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

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