

STATE OF NEW YORK

4371

2023-2024 Regular Sessions

IN ASSEMBLY

February 14, 2023

Introduced by M. of A. STECK, BLANKENBUSH, BUTTENSCHON, BYRNES, COLTON, CRUZ, DeSTEFANO, DINOWITZ, HAWLEY, HYNDMAN, MANKTELOW, McDONOUGH, MORINELLO, NORRIS, RA, REYES, ROZIC, SANTABARBARA, SAYEGH, SIMON, SMULLEN, STIRPE, WALSH, WEPRIN -- read once and referred to the Committee on Governmental Operations

AN ACT to amend the state finance law, in relation to requiring a call-blocking service to be provided in state contracts that include procurement if a voice service

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

1 Section 1. The state finance law is amended by adding a new section
2 149 to read as follows:

3 § 149. Automated call software. 1. As used in this section:

4 (a) "voice service" (i) means any service that is interconnected with
5 the public switched telephone network and that furnishes voice communi-
6 cations to an end user using resources from the North American Numbering
7 Plan or any successor to the North American Numbering Plan adopted by
8 the commission under section 251(e)(1) of the federal Communications Act
9 of 1934, as amended; and (ii) includes (A) transmissions from a tele-
10 phone facsimile machine, computer, or other device to a telephone
11 facsimile machine; and (B) without limitation, any service that enables
12 real-time, two-way voice communications, including any service that
13 requires internet protocol-compatible customer premises equipment and
14 permits out-bound calling, whether or not such service is one-way or
15 two-way voice over internet protocol;

16 (b) "caller identification information" means information provided to
17 an end user by a caller identification service regarding the telephone
18 number of, or other information regarding the origination of, a call
19 made using a voice service;

20 (c) "caller identification service" means any service or device
21 designed to provide the user of the service or device with the telephone

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

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1 number of, or other information regarding the origination of, a call
2 made using a voice service. Such term includes automatic number iden-
3 tification services; and

4 (d) "call-blocking service" means any service that (i) uses reasonable
5 analytics designed to identify unwanted calls; and (ii) blocks calls
6 identified by such analytics.

7 2. Notwithstanding any other provision of law to the contrary, where a
8 contract that includes the procurement of a voice service is to be
9 awarded by a state agency, public authority or municipality, pursuant to
10 a competitive bidding process or a request for proposal process, such
11 contract shall require that any voice service furnished to the state or
12 any of its political subdivisions shall include a call-blocking service.

13 3. A voice service provider that provides a call-blocking service
14 pursuant to this section shall not be subject to any civil or criminal
15 liability on the basis that such call-blocking service blocked a call
16 that was wanted or failed to block a call that was unwanted.

17 § 2. This act shall take effect on the first of January next succeed-
18 ing the date it shall have become a law.