

STATE OF NEW YORK

5649--A

2023-2024 Regular Sessions

IN ASSEMBLY

March 20, 2023

Introduced by M. of A. REYES, HEVESI, MAMDANI, GUNTHER, THIELE, SIMON, MEEKS, GONZALEZ-ROJAS, SIMONE -- read once and referred to the Committee on Social Services -- 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 a new subdivision (k) is added to read as follows:

4 (k) require that all temporary housing facilities shall provide access
5 to high-speed broadband internet service and WiFi service to all indi-
6 viduals residing in such temporary housing. The WiFi service shall be
7 made available in private and common areas accessible to residents.
8 Such shelter shall have at least one router and at least one modem, or
9 any technological equivalent that performs the function of providing an
10 area with high-speed broadband internet service. For the purposes of
11 this subdivision, the term "high-speed broadband internet service" means
12 internet service with download speeds of at least one gigabit per second
13 and upload speeds of at least one gigabit per second, or if such speeds
14 are not available the maximum download and upload speeds commercially
15 available within the local social services district. The term "WiFi
16 service" means access to high-speed broadband internet through wireless
17 router which connects to the internet by wire or cable. For purposes of
18 this subdivision, temporary housing shall include but not be limited to,
19 shelters for adults, shelters for adult families, small-capacity shel-
20 ters, shelters for families with children, domestic violence shelters,
21 runaway and homeless youth shelters, shelters in hotels or shelters for

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

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1 refugees. Each temporary housing facility shall submit their plan to
2 provide internet access pursuant to this subdivision to the department
3 for oversight and approval within one year of the effective date of this
4 subdivision. Temporary housing facilities shall implement and comply
5 with such plans within one year of such approval.

6 (1) (i) A temporary housing facility shall not use, disclose, sell,
7 retain, or permit access to the personal information pertaining to a
8 person residing in temporary housing obtained in the course of providing
9 internet access except as required to provide such access without regard
10 to content, application, service, or use of a non-harmful device, or to
11 respond to a warrant or subpoena issued by a court of competent juris-
12 isdiction.

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

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

27 (3) Local social services districts, temporary housing facilities, and
28 their employees and subcontractors shall not be required to actively
29 monitor or control the information accessed through the WiFi service and
30 shall not be held responsible for any illegal and/or criminal activities
31 committed, orchestrated, or organized through the provided WiFi access
32 by residents.

33 (4) Where credentials, such as a password and username, are necessary
34 to access WiFi, temporary housing facilities must conspicuously display
35 such credentials in all public areas of the facility. Temporary housing
36 facilities need not disclose the credentials to access WiFi that is
37 reserved for staff or emergency service use.

38 (5) Where a temporary housing facility is a hotel or motel as defined
39 in section one hundred thirty-one-v of this chapter, and such temporary
40 housing facility provides WiFi access to patrons at no additional cost,
41 such facility shall provide WiFi to all residents, without discrimi-
42 nation at no additional cost.

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

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

53 Grants issued pursuant to this program shall be awarded in a manner and
54 form as determined by the division consistent with all relevant federal
55 laws, codes, rules, and regulations associated with the federal Digital
56 Equity Act as established under the Infrastructure Investment and Jobs

1 Act. The division shall establish such State Digital Equity Plan and the
2 procedures to solicit, receive and evaluate proposals for the program
3 consistent with rules, regulations, or guidelines established by the
4 commissioner.

5 § 3. This act shall take effect immediately; provided, however, that
6 the amendments to subdivision (1) of section 17 of the social services
7 law made by section one of this act shall not affect the repeal of such
8 subdivision and shall be deemed repealed therewith. Effective immediate-
9 ly, the addition, amendment and/or repeal of any rule or regulation
10 necessary for the implementation of this act on its effective date are
11 authorized to be made and completed on or before such effective date.