

STATE OF NEW YORK

7504

2023-2024 Regular Sessions

IN ASSEMBLY

May 25, 2023

Introduced by M. of A. CUNNINGHAM -- read once and referred to the
Committee on Corporations, Authorities and Commissions

AN ACT to amend the New York state urban development corporation act, in
relation to enacting the "N.Y. state digital equity plan act"

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

1 Section 1. Short title. This act shall be known and may be cited as
2 the "N.Y. state digital equity plan act".

3 § 2. Subdivision 10 of section 16-gg of section 1 of chapter 174 of
4 the laws of 1968 constituting the urban development corporation act, as
5 added by section 2 of part MMM of chapter 58 of the laws of 2022, is
6 amended and a new subdivision 10-a is added to read as follows:

7 10. ConnectAll digital equity grant program. The ConnectAll digital
8 equity grant program is hereby established to support individuals to
9 have the information technology capacity needed for full participation
10 in society and the economy, including the effective implementation of a
11 State Digital Equity Plan or any successor plan. Grants issued pursuant
12 to this program shall be awarded in a manner and form as determined by
13 the division consistent with all relevant federal laws, codes, rules,
14 and regulations associated with the federal Digital Equity Act as estab-
15 lished under the Infrastructure Investment and Jobs Act. The division
16 shall establish such State Digital Equity Plan, in accordance with
17 subdivision ten-a of this section, and the procedures to solicit,
18 receive and evaluate proposals for the program consistent with rules,
19 regulations, or guidelines established by the commissioner.

20 10-a. (a) By January 1, 2025, the division, in consultation with the
21 public and the commissioner, shall develop a state digital equity plan.

22 (b) The state digital equity plan shall include the following:

23 (i) the identification of barriers to digital equity faced by covered
24 populations in this state. Barriers include, but are not limited to, the
25 following:

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

LBD05766-01-3

1 (1) the availability and affordability of access to fixed and wireless
2 broadband technology at a speed, quality, and capacity that is necessary
3 for the individual to accomplish common tasks;

4 (2) accessibility and inclusivity of online public resources and
5 services;

6 (3) digital literacy;

7 (4) awareness and use of measures to secure the online privacy and
8 cybersecurity of an individual; and

9 (5) availability and affordability of consumer devices and technical
10 support for those devices.

11 (ii) measurable objectives for documenting and promoting digital equi-
12 ty among covered populations located in the state;

13 (iii) an assessment of how the objectives described in this subdivi-
14 sion will impact and interact with the following:

15 (1) economic and workforce development goals, plans, and outcomes of
16 the state;

17 (2) educational outcomes, including, but not limited to, digital equi-
18 ty barriers for individuals with learning disabilities and English lear-
19 ners;

20 (3) health outcomes;

21 (4) civic and social engagement; and

22 (5) delivery of other essential services.

23 (iv) a description of how the division plans to collaborate with key
24 stakeholders, including, but not limited to, the following:

25 (1) community anchor institutions;

26 (2) local governments;

27 (3) local educational agencies;

28 (4) Native American tribes;

29 (5) non-profit organizations;

30 (6) organizations that represent covered populations;

31 (7) civil rights organizations;

32 (8) entities that carry out workforce development programs;

33 (9) state and local agencies that are responsible for administering or
34 supervising adult education and literacy activities;

35 (10) state and local public housing authorities;

36 (11) internet service providers; and

37 (12) partnerships between any of the entities described in clauses one
38 through eleven of this subparagraph.

39 (v) a list of organizations with which the division collaborated in
40 developing and implementing the state digital equity plan; and

41 (vi) an assessment of existing digital inclusion programs in the state
42 and recommendations for non-profit organizations to serve covered popu-
43 lations, including opportunities to integrate with other social services
44 outreach programs and opportunities for covered populations to partic-
45 ipate in training they can then leverage to enter careers in the infor-
46 mation technology sector.

47 (c) Notwithstanding any other law to the contrary, the division shall
48 establish a digital equity fund to implement the state digital equity
49 plan. The fund shall include all federal funding appropriated for the
50 development of a state digital equity plan including but not limited to
51 funding from the Infrastructure Investment and Jobs Act. Interest on
52 moneys deposited in the fund shall be credited to the fund.

53 § 3. Subdivision 2 of section 16-gg of section 1 of chapter 174 of the
54 laws of 1968 constituting the urban development corporation act, such
55 section as added by section 2 of part MMM of chapter 58 of the laws of

1 2022, is amended by adding two new paragraphs (i) and (j) to read as
2 follows:

3 (i) "consultation with the public" means soliciting and receiving
4 policy recommendation letters from key stakeholders as listed in subpar-
5 agraph (iv) of paragraph (b) of subdivision ten-a of this section,
6 soliciting and receiving public comment, and hosting public workshops
7 and meetings.

8 (j) "covered populations" means demographics that are underserved in
9 regards to internet access and digital literacy, and includes, but is
10 not limited to, the following:

11 (i) households whose income is one hundred fifty percent of the feder-
12 al poverty level or less for the prior calendar year;

13 (ii) individuals sixty years of age or older;

14 (iii) veterans;

15 (iv) individuals with disabilities;

16 (v) individuals with language barriers, such as English learners and
17 individuals with low literacy levels;

18 (vi) members of a racial or ethnic minority group; and

19 (vii) residents of rural areas.

20 § 4. This act shall take effect immediately.