STATE OF NEW YORK

7837

2023-2024 Regular Sessions

IN ASSEMBLY

July 7, 2023

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

AN ACT to amend the public service law, in relation to providing free high-speed internet and cable service to residents of municipal housing authorities

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

Section 1. The public service law is amended by adding a new section 231 to read as follows:

§ 231. Empire connect. 1. For the purposes of this section, the term "high-speed internet service" shall mean internet service of at least 100 mbps download and at least 10 mbps upload.

2. Each internet service provider and cable television company that provides service to customers within a municipality shall provide basic high-speed internet service and cable service to each residential dwelling or unit in a multiple dwelling, as defined by section three of the public housing law, that is owned or managed by a municipal public housing authority, as defined by section three of the public housing law. The fiscal impact of such program shall not be borne by customers of internet service providers or cable television companies and shall not be added to bills rendered by an internet service provider or cable television company to such customers.

3. The commission shall promulgate rules and regulations to effectuate the provisions of this section, including, but not limited to the following:

(a) rules and regulations to apportion the responsibility of each internet service provider and cable television company in the event that a municipality has authorized more than one internet service provider or cable television company to operate within the geographic area of such municipality; and

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

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(b) rules and regulations to ensure such compliance by such internet service providers and cable television companies with the provisions of this section.

4. No internet service provider or cable television company shall assign or transfer liability for its obligations under this section to any other person, business, entity, or organization, or contract for any other person, business, entity, or organization to perform such internet service provider's or cable television company's duties under this section without the prior written consent of the commission.

5. (a) The commission shall establish and manage a cable and high-speed internet service abatement fund to provide reimbursement to internet service providers and cable television companies for cable and high-speed internet service provided pursuant to subdivision two of this section.

(b) The commission shall appropriate money as necessary to the fund to reimburse all internet service providers and cable television companies for the costs of providing cable and high-speed internet service pursuant to subdivision two of this section. Any federal funds made available for such purpose and any state funds appropriated for cable and high-speed internet service shall be deposited into such fund.

(c) The commission shall provide internet service providers and cable television companies with an application to apply for reimbursement payments from the fund.

§ 2. The article heading of article 11 of the public service law, as added by chapter 83 of the laws of 1995, is amended to read as follows:

PROVISIONS RELATING TO CABLE TELEVISION COMPANIES AND INTERNET SERVICE PROVIDERS

§ 3. Section 212 of the public service law is amended by adding a new subdivision 15 to read as follows:

15. "Internet service provider" shall mean any person, business, entity, or organization qualified to do business in the state that provides individuals, corporations, or other entities with the ability to connect to the internet through equipment that is located in the state.

§ 4. This act shall take effect on the sixtieth day after it shall have become a law. Effective immediately, the addition, amendment and/or repeal of any rule or regulation necessary for the implementation of this act on its effective date are authorized to be made and completed on or before such effective date.