

STATE OF NEW YORK

8994--A

IN ASSEMBLY

February 1, 2024

Introduced by M. of A. PAULIN, GLICK, FAHY, WILLIAMS, STIRPE, SHIMSKY, WOERNER, BURDICK, SLATER, BEEPHAN, DeSTEFANO, McDONOUGH, TANNOUSIS, REILLY -- read once and referred to the Committee on Consumer Affairs and Protection -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the general business law, in relation to requiring wireless communication method service providers disable services to stolen wireless phones

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

1 Section 1. Short title. This act shall be known and may be cited as
2 the "Detective Brian Simonsen's Law".

3 § 2. The general business law is amended by adding a new section 399-
4 eee to read as follows:

5 § 399-eee. Disabling of services to stolen wireless phones. 1. Defi-
6 nitions. For purposes of this section, the following terms shall have
7 the following meanings:

8 (a) "International mobile equipment identifier (IMEI)" shall mean:

9 (i) a mobile equipment identifier;

10 (ii) electronic serial number; or

11 (iii) any other number or signal that:

12 (A) identifies a unique mobile wireless phone; and

13 (B) has the same function and purposes as a number described in
14 subparagraph (i) or (ii) of this paragraph.

15 (b) "GSMA block list" means an industry database that relies on infor-
16 mation reported by at least fifty commercial mobile operators, is
17 subject to access controls, is certified to the ISO/IEC 27001 or an
18 equivalent standard for information security management systems, and
19 provides publicly available information to enable sellers, consumers,
20 and law enforcement to check an IMEI against lists of mobile device
21 equipment identification numbers to help prevent the use or activation
22 of mobile phones identified as stolen or fraudulently obtained.

23 2. Limiting wireless service to stolen phones. Any person, firm, part-
24 nership, association, limited liability company, corporation, or other

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

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1 business entity providing wireless telephone services, as such term is
2 defined in paragraph (b) of subdivision one of section twelve hundred
3 twenty-five-c of the vehicle and traffic law, shall have and maintain a
4 program reasonably designed to prevent the activation on its network of
5 a phone with an international mobile equipment identity number (IMEI)
6 that appears on the GSMA block list.

7 3. Reporting of stolen wireless phones. Any person, firm, partnership,
8 association, limited liability company, corporation, or other business
9 entity providing wireless telephone services, as such term is defined in
10 paragraph (b) of subdivision one of section twelve hundred twenty-five-c
11 of the vehicle and traffic law, who is informed by a retail store opera-
12 tor of the theft of new, non-activated wireless phones, shall take
13 reasonable steps to report the IMEI numbers of those stolen phones to
14 the GSMA block list.

15 4. Disabling of service to stolen wireless phone. Any person, firm,
16 partnership, association, limited liability company, corporation, or
17 other business entity providing wireless telephone services, as such
18 term is defined in paragraph (b) of subdivision one of section twelve
19 hundred twenty-five-c of the vehicle and traffic law, shall have and
20 maintain a program reasonably designed to enable it to suspend service
21 to a stolen wireless phone upon notification by a verified customer that
22 a wireless phone has been stolen. Such program shall require the person
23 or business entity providing wireless telephone services take reasonable
24 steps to report the IMEI numbers of the stolen phone to the GSMA block
25 list.

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