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 Assembly, do enact as follows:

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

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

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

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

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

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

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

LBD05766-01-3

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

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

(3) digital literacy;

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

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

(ii) measurable objectives for documenting and promoting digital equity among covered populations located in the state;

(iii) an assessment of how the objectives described in this subdivision will impact and interact with the following:

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

(2) educational outcomes, including, but not limited to, digital equity barriers for individuals with learning disabilities and English learners;

(3) health outcomes;

(4) civic and social engagement; and

(5) delivery of other essential services.

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

(1) community anchor institutions;

(2) local governments;

(3) local educational agencies;

(4) Native American tribes;

(5) non-profit organizations;

(6) organizations that represent covered populations;

(7) civil rights organizations;

(8) entities that carry out workforce development programs;

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

(10) state and local public housing authorities;

(11) internet service providers; and

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

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

(vi) an assessment of existing digital inclusion programs in the state and recommendations for non-profit organizations to serve covered populations, including opportunities to integrate with other social services outreach programs and opportunities for covered populations to participate in training they can then leverage to enter careers in the information technology sector.

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

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

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

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

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

(i) households whose income is one hundred fifty percent of the federal poverty level or less for the prior calendar year;

(ii) individuals sixty years of age or older;

(iii) veterans;

(iv) individuals with disabilities;

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

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

(vii) residents of rural areas.

§ 4. This act shall take effect immediately.