STATE OF NEW YORK

3368

2023-2024 Regular Sessions

IN SENATE

January 31, 2023

Introduced by Sens. SKOUFIS, ADDABBO -- read twice and ordered printed, and when printed to be committed to the Committee on Finance

AN ACT to amend the state finance law, in relation to requiring a call-blocking service to be provided in state contracts that include procurement if a voice service

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

Section 1. The state finance law is amended by adding a new section 149 to read as follows:

§ 149. Automated call software. 1. As used in this section:

(a) "voice service" (i) means any service that is interconnected with the public switched telephone network and that furnishes voice communications to an end user using resources from the North American Numbering Plan or any successor to the North American Numbering Plan adopted by the commission under section 251(e)(1) of the federal Communications Act of 1934, as amended; and (ii) includes (A) transmissions from a telephone facsimile machine, computer, or other device to a telephone facsimile machine; and (B) without limitation, any service that enables real-time, two-way voice communications, including any service that requires internet protocol-compatible customer premises equipment and permits out-bound calling, whether or not such service is one-way or two-way voice over internet protocol;

(b) "caller identification information" means information provided to an end user by a caller identification service regarding the telephone number of, or other information regarding the origination of, a call made using a voice service;

(c) "caller identification service" means any service or device designed to provide the user of the service or device with the telephone number of, or other information regarding the origination of, a call made using a voice service. Such term includes automatic number identification services; and

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

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(d) "call-blocking service" means any service that (i) uses reasonable analytics designed to identify unwanted calls; and (ii) blocks calls identified by such analytics.

2. Notwithstanding any other provision of law to the contrary, where a contract that includes the procurement of a voice service is to be awarded by a state agency, public authority or municipality, pursuant to a competitive bidding process or a request for proposal process, such contract shall require that any voice service furnished to the state or any of its political subdivisions shall include a call-blocking service.

3. A voice service provider that provides a call-blocking service pursuant to this section shall not be subject to any civil or criminal liability on the basis that such call-blocking service blocked a call that was wanted or failed to block a call that was unwanted.

§ 2. This act shall take effect on the first of January next succeeding the date it shall have become a law.