STATE OF NEW YORK

11351

IN ASSEMBLY

May 13, 2026

Introduced by COMMITTEE ON RULES -- (at request of M. of A. Fall) -- read once and referred to the Committee on Consumer Affairs and Protection

AN ACT to amend the general business law, in relation to enacting the "CALM act" relating to commercial advertisement volume

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 "CALM act".

§ 2. The general business law is amended by adding a new section 392-m to read as follows:

§ 392-m. Commercial advertisement volume. 1. For the purposes of this section, the following terms shall have the following meanings:

(a) "Video programming" shall have the same meaning as defined in Section 613(h) of Title 47 of the United States Code.

(b) (i) "Video streaming service" shall mean an entity that makes available directly to the consumer, through a distribution method that uses internet protocol, either of the following:

(1) video programming; or

(2) video content such entity makes available for users to view.

(ii) "Video streaming service" shall not include a television broadcast station, cable operator, or other multichannel video programming distributor, or an entity that services video programming or video content without commercial advertisements.

2. No person, firm, partnership, association or corporation providing a video streaming service that operates in this state shall transmit the audio of commercial advertisements louder than the video content the advertisements accompany, consistent with the regulations adopted by the federal communications commission pursuant to the commercial advertisement loudness mitigation act for television broadcast stations, cable operators, and other multichannel video programming distributors.

3. Any person, firm, partnership, association or corporation that violates the provisions of this section shall be subject to a civil

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

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penalty of up to two hundred fifty dollars for a first offense and up to five hundred dollars for any subsequent offense.

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