STATE OF NEW YORK

6130--A

2025-2026 Regular Sessions

IN SENATE

March 5, 2025

Introduced by Sens. COONEY, FERNANDEZ, MARTINEZ, SCARCELLA-SPANTON, SEPULVEDA -- read twice and ordered printed, and when printed to be committed to the Committee on Internet and Technology -- recommitted to the Committee on Internet and Technology in accordance with Senate Rule 6, sec. 8 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the executive law, in relation to certain interagency agreements with the consumer protection division

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

Section 1. Subparagraphs 15 and 16 of paragraph (a) of subdivision 3 of section 94-a of the executive law, subparagraph 15 as amended and subparagraph 16 as added by chapter 374 of the laws of 2022, are amended and three new subparagraphs 17, 18 and 19 are added to read as follows:

(15) create an internet website or webpage pursuant to section three hundred ninety-c of the general business law, as added by chapter five hundred nine of the laws of two thousand seven; [~~and~~]

(16) exercise such powers and duties granted to the secretary by article sixteen of the energy law as the secretary may direct, including, but not limited to: consult with such president of the New York state energy research and development authority in connection with investigations conducted by such president pursuant to article sixteen of the energy law; make determinations relating to compliance by products with the standards adopted pursuant to article sixteen of the energy law; order the immediate cessation of any distribution, sale or offer for sale, import, or installation of any product that does not meet such standards; and impose civil penalties as contemplated by article sixteen of the energy law[~~.~~]*~~;~~*

(17) establish a process by which any state agency or third party, pursuant to an interagency agreement with the division for the purposes of fraud prevention, identity verification, and ensuring the integrity

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

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or security of individual identities, to grant access to verify New York resident identities via a secure comparison process against state systems. Such process shall require, at a minimum, auditable user consent, no data or images leave state systems, facial images are converted into a mathematical representation and adequately protected to facilitate a secure comparison, and any vendor selected shall be required to annually submit their solution for National Institute of Standards and Technology (NIST) testing and publication and such vendor shall have a minimum ISO 30101 Level 2 Conformant Liveness (PAD Level 2) compliance verified by a NIST approved third party;

(18) Any revenue generated as a result of an agreement authorized by this section shall be made available to the state comptroller for deposit in the general fund; and

(19) An identity verification service provider may not retain Internet protocol addresses, geolocation data, or any other information that describes the location, computer, computer system, or computer network from which an applicant accesses the system.

§ 2. This act shall take effect immediately.