



Legislation Text

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Int. No. 1951

By Council Members Gibson, Kallos, Moya and Ampry-Samuel

A Local Law to amend the administrative code of the city of New York, in relation to the development of informational guidance regarding youth online activity

Be it enacted by the Council as follows:

Section 1. Chapter 4 of title 21 of the administrative code of the city of New York is amended by adding a new section 21-414 to read as follows

§ 21-414 Informational guidance regarding youth online activity. a. Definitions. For the purposes of this section, the following terms have the following meanings:

Electronic device. The term “electronic device” means a device that facilitates or enables the conduct of online activity, including, but not limited to, a computer, tablet, or smart phone.

Online activity. The term “online activity” means public or private communications, or other individualized conduct performed through a social media service, email system, computer program, internet website, or other platform accessed through an electronic device.

Personally identifiable information. The term “personally identifiable information” means information that is linked or reasonably linkable to a specific youth or electronic device used by a specific youth, or for which disclosure and use are subject to the family educational rights and privacy act or the children’s online privacy protection act. Information is linked or reasonably linkable to a specific youth or electronic device used by a specific youth if it can reasonably be used on its own, in context, or in combination to identify the youth or electronic device, or to logically associate with other information about a specific youth or electronic device used by a specific youth.

Social media service. The term “social media service” means a service that facilitates social online activity.

Youth. The term “youth” means a person under the age of 18.

b. Informational guidance. Consistent with applicable federal, state and local laws, the department shall develop informational guidance concerning youth online activity. Such guidance shall be targeted to youth and to their parents or legal guardians, and include, but not be limited to:

1. Information regarding federal, state, and local laws that protect the privacy of personally identifiable information while engaging in online activities;

2. Information regarding the permissible and non-permissible usage by third parties of personally identifiable information obtained through online activity;

3. Recommended best practices concerning the disclosure of personally identifiable information while engaging in online activity;

4. Recommended best practices concerning maintaining the privacy of personally identifiable information while engaging in online activity; and

5. An advisory that online activity could last in perpetuity, be misconstrued by others, or potentially be surveilled by and used against a youth by law enforcement.

c. Publication and dissemination. The department shall publish the guidance developed pursuant to subdivision b of this section on its website no later than September 1, 2021 and provide hard copies of such guidance for dissemination through department programs.

d. Periodic review. The guidance developed pursuant to subdivision b of this section shall be reviewed and updated by the department annually if needed no later than September 1.

§ 2. This local law takes effect 90 days after it becomes law.

