



Legislation Text

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Int. No. 1122-A

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A Local Law to amend the administrative code of the city of New York, in relation to a plan for expanding home access to broadband internet

Be it enacted by the Council as follows:

Section 1. Chapter 3 of title 23 of the administrative code of the city of New York is amended by adding a new section 23-314 to read as follows:

§ 23-314 Plan for broadband internet access. a. Definitions. As used in this section, the following terms have the following meanings:

Broadband internet. The term “broadband internet” means internet access that utilizes high-speed transmission technologies that provides sustained data transmission speeds of not less than 100 megabits per second for downloads and not less than 25 megabits per second for uploads.

Commissioner. The term “commissioner” means the commissioner of information technology and telecommunications.

Department. The term “department” means the department of information technology and telecommunications.

Digital accessibility. The term “digital accessibility” means websites, tools, or technologies that may be used by persons with disabilities.

Digital literacy. The term “digital literacy” means the ability to use technology or digital tools.

Emerging business enterprise. The term “emerging business enterprise” has the same meaning as set

forth in subparagraph c of paragraph 6 of subdivision e of section 1304 of the charter.

Franchise. The term “franchise” has the same meaning as set forth in section 362 of the charter.

Franchisee. The term “franchisee” means a person who holds a franchise to provide cable television, information services, or other public service.

Internet service provider. The term “internet service provider” means a person that provides individuals, corporations, or other entities with the ability to connect to broadband internet.

Low-cost broadband internet. The term “low-cost broadband internet” means broadband internet offered to eligible households at a cost per household consistent with section 399-zzzzz of the general business law.

Network infrastructure. The term “network infrastructure” means any hardware or software installed or maintained by an internet service provider that facilitates the provision of internet access by such internet service provider to an individual, corporation, or other entity.

Secondary purpose. The term “secondary purpose” means the use of broadband internet service, or network infrastructure, for purposes other than providing home broadband internet, and includes video surveillance or data surveillance, and collection, retention, transfer, or analysis of user data including browsing history, application usage, and personal information.

Underserved. The term “underserved” has the same meaning as set forth in paragraph (b) of subdivision 1 of section 224-c of the public service law.

b. No later than November 1, 2026, the department shall post on its website a preliminary internet master plan for expanding access to broadband internet in homes throughout the city. Such plan shall include information about how the department may work with franchisees and internet service providers, including but not limited to not-for-profit or community-based internet service providers, and internet service providers that are emerging business enterprises, to facilitate the provision of low-cost broadband internet in homes, and shall prioritize recommendations for expanding access to and adoption of broadband internet in underserved areas. No later than 60 days prior to the posting of the preliminary internet master plan, the department shall solicit

public recommendations regarding the provisions of the preliminary plan, including through outreach to labor organizations, and a social media campaign, a website announcement, an online platform for submitting comments, or a public hearing. The preliminary internet master plan shall include, but need not be limited to, recommendations relating to:

1. Establishment of goals for expanding access to low-cost broadband internet in areas with the fewest options for low-cost broadband internet, as determined by the department;

2. Development of strategies to promote access to low-cost broadband internet;

3. Development of strategies to promote digital literacy, access to computers or mobile devices, and digital accessibility;

4. Identification of ways to work with internet service providers, including but not limited to local not-for-profit internet service providers or internet service providers that are emerging business enterprises, to improve access to low-cost broadband internet;

5. An assessment of the feasibility of utilizing city-owned property for the installation of network infrastructure, and any recommendations for coordinating such utilization;

6. An assessment of the feasibility and estimated costs of establishing incentives for the development of network infrastructure that multiple internet service providers may use;

7. Identification of areas of the city where internet service providers may install network infrastructure;

8. Any recommendations regarding the utilization of any unutilized or underutilized network infrastructure, including unutilized fiber strands;

9. Information about the availability of broadband internet, including the types of internet connections, available speeds, and usage policies of each internet service provider;

10. An assessment of whether the availability and speeds of broadband internet differ for any geographic area of the city as compared to the availability and speed of broadband internet city-wide;

11. An analysis of any potential impacts on the public and private workforce by the implementation of

such plan, and recommendations regarding any safety standards or training that would facilitate such implementation;

12. An estimate of the costs of implementation of such plan, including an itemized list of the estimated cost of implementing each recommendation included in such plan and a list of potential grants or other sources of funding that could be utilized for such implementation; and

13. An assessment of the availability of public and private grant programs to encourage private investment in network infrastructure.

c. The department shall provide a draft copy of the internet master plan required by this section to the internet advisory board established pursuant to paragraph d of this section prior to the posting of such internet master plan. The internet advisory board may review the draft copy of the internet master plan and provide recommendations regarding the such plan to the department.

d. There shall be an internet advisory board.

1. Members of the internet advisory board shall include:

(a) The commissioner or such commissioner's designee, who shall be chair of the board;

(b) Three members appointed by the mayor;

(c) Three members appointed by the speaker of the council; and

(d) One member appointed by the public advocate.

2. To the extent practicable, each member appointed to the board shall have experience with information technology, digital equity, or the development, installation, deployment, or maintenance of network infrastructure.

3. Members of the board shall serve without compensation and shall meet no less than once every 6 months.

4. Each member appointed to the board shall be appointed for a term of 3 years. In the event of a vacancy on the board during any such term, a successor shall be chosen in the same manner as the original

appointment. A member appointed to fill a vacancy shall serve for the balance of the unexpired term.

5. The board may review any plan posted pursuant to subdivisions b, e, or g of this section and may make recommendations regarding implementation of any part of any such plan.

e. No later than May 1, 2027, the department shall post on its website an internet master plan, including the recommendations as set forth in paragraphs 1 through 13 of subdivision b, and consideration of the feedback received on the preliminary internet master plan.

f. No later than May1, 2028, and annually thereafter, the department shall post on its website a report that provides information about any progress toward implementing any part of the plan required by subdivision e or updates pursuant to subdivision g.

g. No later than May 1, 2031, and no later than November 1 every 5 years thereafter, the department shall post on its website an updated internet master plan that may include any recommendations as set forth in paragraphs 1 through 13 of subdivision b. No later than 60 days prior to the posting of such updated internet master plan, the department shall solicit public input on the updated plan, including through outreach to labor organizations, and a social media campaign, a website announcement, an online platform for submitting comments, or a public hearing.

h. None of the plans posted pursuant to subdivisions b, e, or g, shall consider, facilitate, or otherwise promote the use of broadband internet connections for any secondary purpose, by any agency that is not connected to the provision of such internet service to homes.

§ 2. This local law takes effect immediately.

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