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**THE COUNCIL OF THE CITY OF NEW YORK**

COMMITTEE REPORT OF THE GOVERNMENTAL AFFAIRS DIVISION

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**COMMITTEE ON CONSUMER AFFAIRS AND BUSINESS LICENSING**

Hon. Diana Ayala, Chair

**October 22, 2021**

**INT. NO. 2130:** By Council Members Rosenthal, Kallos, Adams, Chin and Cornegy

TITLE: A Local Law to amend the administrative code of the city of New York, in relation to providing notice regarding student loan forgiveness programs to certain employees and applicants for employment

**INT. NO. 2410:** By Council Members Brooks-Powers and Yeger (by request of the Mayor)

TITLE: A Local Law to amend the administrative code of the city of New York, in relation to agency actions in case of a breach of security and to repeal section 20-117 of such code, relating to licensee disclosure of a security breach

1. **INTRODUCTION**

On October 22, 2021, the Committee on Consumer Affairs and Business Licensing, chaired by Council Member Diana Ayala, will hold a hearing on two bills: Introduction Number 2130 (Int. 2130), in relation to providing notice regarding student loan forgiveness programs to certain employees and applicants for employment; and Introduction Number 2410 (Int. 2410), in relation to agency actions in case of a breach of security and to repeal section 20-117 of such code, relating to licensee disclosure of a security breach. The Committee has invited the Department of Consumer and Worker Protection (DCWP), business representatives and trade groups, student organizations, advocates, and other stakeholders to testify at the hearing.

1. **BACKGROUND**

**Student Loans**

Student loans have been an integral part of postsecondary education in America since congress passed the Higher Education Act of 1965, which established grant and scholarship programs for low-income students and provided low-interest loans to students.[[1]](#footnote-1) This helped to make college available to more individuals and, by 1970, the number of graduates with bachelor degrees had nearly doubled compared to the rate in 1950.[[2]](#footnote-2) However, since that time, the cost of education has increased significantly. For example, costs for tuition at a four-year public institution increased more than 200 percent from the cost 20 years ago, while the cost for private nonprofit schools increased nearly 130 percent for the same timeframe.[[3]](#footnote-3) While it is normal for the costs of services and products to increase over such a span of time, incomes have not kept pace, and the costs of higher education are now increasing six times faster than the national economy.[[4]](#footnote-4) Given such factors, student debt in this country is now the highest non-housing related debt[[5]](#footnote-5) and the total student debt reached $1.73 trillion in the second quarter of this year – the highest it has ever been.[[6]](#footnote-6) This is also despite the fact that loan repayments have been on pause during the COVID-19 pandemic.[[7]](#footnote-7)

There are about 43 million student loan debtors across the country, which is about 13 percent of the adult population.[[8]](#footnote-8) In 2019, the average student loan debt for a bachelor’s degree was $28,950, while graduate students had an average debt of $71,000.[[9]](#footnote-9) Having a smaller debt balance, however, does not always improve repayments. According to research from the Brookings Institution, which tracked student debt data for first-time college students over the past 20 years, student loan defaults were highest for those borrowers with the smallest debts.[[10]](#footnote-10) This research also predicts that, if the analyzed trends continue, “40 percent of borrowers may default on their student loans by 2023.”[[11]](#footnote-11) Given that filing for bankruptcy will generally not discharge the student loan,[[12]](#footnote-12) the ballooning student debt crisis is only expected to increase over the next few years.

Looking deeper into the data, the Brookings Institution found other important factors that affect the likelihood of successful loan repayments. For instance, students attending for-profit institutions default at nearly four times the rate as those students at community college (48 percent versus 13 percent respectively).[[13]](#footnote-13) The data also revealed different default rates according to the racial background of students. According to the report, “nearly 38 percent of all Black first-time college entrants in 2004 had defaulted within 12 years, a rate more than three times higher than their white counterparts, and 13 percentage points higher than Black students entering just eight years prior.”[[14]](#footnote-14) The author concludes that, if the projections on future defaults follow current trends, by their twentieth year in debt, 70 percent of all Black borrowers may default on their loans.[[15]](#footnote-15)

Student Debt in New York City

In 2017, the Federal Reserve Bank of New York partnered with DCWP’s Office of Financial Empowerment (OFE) to examine the state of student debt in New York City. Across the five boroughs there are approximately one million people with student loans, which is about 15 percent of the population. In total, these borrowers owe nearly $35 billion.[[16]](#footnote-16) The average balance of the loans is just under $35,000 and the median age of borrowers in New York City is 33.[[17]](#footnote-17) While the delinquency (90 days past due) and default (270 days past due) rates in New York City are slightly lower than the national average,[[18]](#footnote-18) many of the Reserve Bank’s findings mirror the national trends outlined in the Brookings Institution research discussed above.

Like borrowers in other parts of the country, New Yorkers with small student loans default at higher rates than their counterparts with higher loans.[[19]](#footnote-19) The Federal Reserve’s report also mapped the student loans and their default or delinquency rates, and found that borrowers in low-income neighborhoods experienced the highest loan distress.[[20]](#footnote-20) As seen in the map and graph reproduced below, borrowers in parts of Brooklyn and the Bronx experienced the highest rates of default and delinquency.[[21]](#footnote-21)

**Percent of student loan borrows 90+ days past due on student loans[[22]](#footnote-22)**



**Percent of student loan borrowers in default status by community district[[23]](#footnote-23)**



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The report also found that borrowers 45 years and older had higher rates of delinquency than their younger peers. The researchers suggest that this may be because younger borrowers are more likely to still be enrolled in college and may therefore have access to a greater range of repayment plans. [[24]](#footnote-24)

Student Loan Forgiveness Programs

To tackle the mounting debt faced by students, there are several loan forgiveness programs available. For instance, graduates who find employment with the public sector or non-for-profit organizations may qualify for student loan forgiveness on government loans.[[25]](#footnote-25) Similarly, teachers, who teach full-time for five consecutive years in low-income schools may also be eligible for loan forgiveness for up to $17,500.[[26]](#footnote-26) There are also a range of other options where graduates may be eligible for either full or partial loan forgiveness or discharge, depending on their various circumstances, such as whether their loans are issued by government or a private entity and the types of programs their school offers. Navigating through the terms and conditions, however, can be time-consuming and confusing and ultimately be a barrier to successful loan re-payment or forgiveness. For instance, recent data from the federal Department of Education shows that 98 percent of borrowers who applied for the public sector/not-for-profit loan forgiveness were denied.[[27]](#footnote-27)

**Data Security**

In June 2021, the City’s Law Department was hacked. As one of the largest law offices in the Country, the hack exposed a trove of sensitive case material and personal information.[[28]](#footnote-28) Aside from exposing this confidential information, the hack also meant that the whole Law Department network was taken offline, which delayed some cases even a month after the hack was first detected.[[29]](#footnote-29) Shortly after the hack was detected, the Law Department’s computer system was taken offline, and attorneys could not log into their computers or access electronic versions of their files.[[30]](#footnote-30) The *New York Daily News* quoted one Law Department staffer as saying that, because of the hack, “There is no work that can be done at all.”[[31]](#footnote-31)

It was ultimately determined that the hack was made possible when the hacker used a Law Department employee’s stolen email password to gain access.[[32]](#footnote-32) According to news reports, despite a City policy to require multifactor authentication, which was created two years before the hack, the Law Department had not implemented the safety measure and thus the hacker gained entry into the system relatively.[[33]](#footnote-33) Mayor de Blasio assured reporters that “no information was compromised”;[[34]](#footnote-34) however the impact of the hack was ongoing. Electronic access to work product remained stifled for weeks, and with many staffers working from home due to COVID-19 restrictions, this meant that attorneys could not access their case files, which delayed numerous cases.[[35]](#footnote-35)

Data breaches have become ever more frequent, and it is vital to notify individuals whose data has been impacted. In July 2019, the New York State SHIELD Act, was signed into law substantially amending the data breach notification laws for both private and public entities (which amended Section 39-F of the State General Business Law and Section 208 of the State Technology Law). State Technology Law Section 208 (10) requires that the City have a data breach notification policy or local law that is consistent with the State law. Legislation the Committee will hear today seeks to ensure that the City’s local data breach notification law is consistent with State law and provides more protection from similar hacking.

1. **BILL ANALYSIS**

**Int. 2130**

Section 1 of the bill would require the Department of Citywide Administrative Services, in consultation with the Office of Labor Policy and Standards (“OLPS”), to prepare a notice for employees and job applicants regarding the availability of federal and state student loan forgiveness programs. DCAS would be required to post the notice on their website. The notice would be required to: (i) include a notice that an employee of a city agency may be eligible for loan forgiveness under a federal or state student loan forgiveness program; (ii) provide the official website address for each program; and (iii) encourage each employee or applicant for employment to review carefully the information provided on the websites to determine eligibility for such programs and the procedures for application. DCAS would be required to provide this notice to City agency heads to share with their employees and job applicants. Each city agency would be required to provide the notice received from DCAS to: (i) individuals who begin employment with the agency after the effective date of Section 1, within five days of beginning employment; (ii) individuals already employed at the city agency on the effective date of Section 1, within fifteen days of such effective date; and (iii) in advertisements for employment with the city agency, where appropriate.

Section 2 of the bill would add a new Chapter 11 to Title 20 of the Administrative Code. Pursuant to the new Chapter 11, OLPS would be required to make the notice required in Section 1 of this bill available to employers in New York City to provide to employees and job applicants, including making the notice available for download on the OLPS website. “Employer” would be defined broadly to include any employer, except for the federal government; New York State government; and the City or any local government, municipality or county or any entity governed by Section 92 of the New York General Municipal Law or Section 207 of the New York County Law. OLPS would also be required to conduct outreach and education to about the availability of federal and state student loan forgiveness programs to employers likely to be impacted by this bill.

Section 3 provides that this bill would take effect 90 days after it becomes law.

**Int. 2410**

This bill would ensure that the City’s local data breach notification law is consistent with State law by making several changes to align certain Administrative Code provisions more closely with Section 208 of the State Technology Law.

Section 1 of this bill would amend Section 10-501 of the Administrative Code to make the definitions for the City’s data breach notification law more closely align with the definitions used in the New York State data breach notification law (State Technology Law Section 208).

Section 2 of this bill would make multiple amendments to Section 10-502 of the Administrative Code. Section 10-502 (a) currently requires a City agency that has suffered a security breach involving personal identifying information to immediately disclose that fact to the Police Department. This bill would alter that responsibility such that a City agency that has suffered a breach of security involving private information would be obligated to promptly disclose that fact to the City’s Chief Privacy Officer, the Office of Cyber Command, and the Department of Information Technology and Telecommunications (DoITT). This bill would additionally expand such obligation to situations not just where private information was reasonably believed to have been acquired, but also to situations when it is reasonably believed to have been accessed, disclosed, or used by an unauthorized person.

Section 10-502 (b) currently contains an obligation to notify individuals whose personal identifying information was reasonably believed to have been acquired by an unauthorized person. This bill would amend this subdivision so that the notification obligation would be expanded to situations where an individual’s private information is reasonably believed to have been accessed, acquired, disclosed, or used by an unauthorized person. This bill would make another such edit to Section 10-502 (c), expanding the notification obligation for incidents involving private information that the City maintains, but does not own, lease or license, such that the City would notify the owner, lessor or licensor of the data if the private information was accessed, acquired, disclosed or used by an unauthorized person.

Section 2 of this bill would make technical amendments to Section 10-502 (d) of the Administrative Code, and add details to that subdivision about data breach notifications communicated electronically or via telephone. This bill would make technical amendments to Section 10-502 (e) plus add five new subdivisions to Section 10-502. Subdivision f would mandate that if five thousand or more New York residents are to be notified at one time pursuant to Section 10-502, the notifying agency shall also notify consumer reporting agencies as to the timing, content and distribution of the notices, and approximate number of affected individuals. Subdivision g would provide an exception so that notice to affected individuals is not required if the exposure of private information was an inadvertent disclosure by persons authorized to access private information, and the agency reasonably determines that such exposure will not likely result in misuse of such information, or financial, personal or reputational harm to the affected individuals.

Subdivision h would provide an exception so that if a data breach notification were made by another entity pursuant to New York State law, an agency need not send a duplicate data notification to the affected individuals. Subdivision i would mandate that the Office of Cyber Command, in consultation with the Chief Privacy Officer and DoITT, create protocols for agency coordination and recordkeeping for any breach of security and any incident that is not a breach of security but involves the good faith or inadvertent access, acquisition, disclosure, or use of any private information by an employee or agent of an agency for the legitimate purposes of the agency. Subdivision j would remind agencies that any incident that triggers agency action pursuant to Section 10-502 may also trigger agency responsibilities pursuant to the City’s Identifying Information Law.

Section 3 of this bill would make a technical amendment to Section 10-503 of the Administrative Code. Section 4 of this bill would repeal and replace Section 20-117, which currently creates a data breach notification process for DCWP licensees that is not identical to the State law process for businesses that suffer a data breach. The new Section 20-117 would mandate that any DCWP licensee who is required to make a data breach notification pursuant to State law shall promptly submit a copy of such notification to the department. Section 5 of this bill would require the same of Department of Health and Mental Hygiene licensees, and Section 6 of this bill would require the same of Taxi & Limousine Commission licensees.

 Section 7 of this bill provides that this bill would take effect 120 days after it becomes law.

Int. No. 2130

By Council Members Rosenthal, Kallos, Adams, Chin, Cornegy and Yeger

..Title

A Local Law to amend the administrative code of the city of New York, in relation to providing notice regarding student loan forgiveness programs to certain employees and applicants for employment

..Body

Be it enacted by the Council as follows:

Section 1. Chapter 2 of title 12 of the administrative code of the city of New York, is amended by adding a new section 12-209 to read as follows:

§12-209 Notice regarding student loan forgiveness programs.  a. Definitions*.* For purposes of this section, the following term has the following meaning:

City agency. The term “city agency” means an agency established by the charter and any other agency designated by the mayor.

b. Requirement to prepare notice. The commissioner of citywide administrative services shall prepare, in consultation with the director of the office of labor policy and standards, a notice for employees of city agencies regarding the availability of federal and state student loan forgiveness programs. The commissioner shall make the notice available on the website of the department of citywide administrative services in downloadable format.

c. Required information. The notice required under subdivision b shall:

1. Include, but need not be limited to, notice that an employee of a city agency may be eligible for loan forgiveness under a federal or state student loan forgiveness program;

2. Provide the official website address for each program; and

3. Encourage each employee or applicant for employment to review carefully the information provided on the websites to determine eligibility for such programs and the procedures for application.

d.Provision of notice to agency heads**.** The commissioner shall make the notice prepared under subdivision b available to the heads of city agencies to share with employees and employment applicants of such agencies.

 e. Provision of notice to employees and applicants for employment*.* The head of each city agency shall provide the notice prepared under subdivision b:

1. To an individual who begins employment at the applicable city agency after the effective date of this section, within five days of beginning such employment;

2. To an individual already employed at the city agency on the effective date of this section, within fifteen days of such effective date; and

3. In advertisements for employment with the city agency, where appropriate.

§ 2. Title 20 of the administrative code of the city of New York is amended by adding a new chapter 11 to read as follows:

CHAPTER 11

INFORMATION ON STUDENT LOAN FORGIVENESS PROGRAMS

§ 20-1101 Information on student loan forgiveness for employees and job applicants. a. Definitions*.* For purposes of this section, the following term has the following meaning:

Employer**.** The term "employer" means any person or entity covered by the definition of "employer" set forth in subdivision 6 of section 651 of the labor law, except that such term does not include (i) the United States government; (ii) the state of New York, including any office, department, independent agency, authority, institution, association, society or other body of the state including the legislature and the judiciary; or (iii) the city or any local government, municipality or county or any entity governed by section 92 of the general municipal law or section 207 of the county law.

b. Provision of notice. 1. The director of the office of labor policy and standards, or any successor office, shall make available the notice prepared under section 12-209 to employers in the city of New York, as appropriate, in order that such employers may provide the notice to employees and applicants for employment.

2. The director shall make such notice available on the office’s website in downloadable format.

c. The director shall conduct outreach and education about the availability of federal and state student loan forgiveness programs. Such outreach and education shall be provided to employers who are likely to be impacted by this section.

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

JB

LS # 13814

5/5/20

Int. No. 2410

By Council Members Brooks-Powers and Yeger (by request of the Mayor)

..Title

A Local Law to amend the administrative code of the city of New York, in relation to agency actions in case of a breach of security and to repeal section 20-117 of such code, relating to licensee disclosure of a security breach

..Body

Be it enacted by the Council as follows:

Section 1. Section 10-501 of the administrative code of the city of New York, as added by local law number 45 for the year 2005, is amended to read as follows:

§ 10-501. Definitions. For the purposes of this chapter,

a. The term [“personal identifying information” shall mean any person's date of birth, social security number, driver's license number, non-driver photo identification card number, financial services account number or code, savings account number or code, checking account number or code, brokerage account number or code, credit card account number or code, debit card number or code, automated teller machine number or code, personal identification number, mother's maiden name, computer system password, electronic signature or unique biometric data that is a fingerprint, voice print, retinal image or iris image of another person. This term shall apply to all such data, notwithstanding the method by which such information is maintained.] “personal information” shall mean any information concerning an individual that because of a name, number, symbol, mark or other identifier, can be used to identify that individual.

b. The term “private information” shall mean either: (i) personal information consisting of any information in combination with any one or more of the following data elements, when either the data element alone or the combination of such information plus the data element is not encrypted, or encrypted with an encryption key that has also been accessed or acquired:

(1) social security number;

(2) driver’s license number or non-driver identification card number;

(3) account number, credit or debit card number, in combination with any required security code, access code, password or other information which would permit access to an individual’s financial account;

(4) account number, or credit or debit card number, if circumstances exist wherein such number could be used to access an individual’s financial account without additional identifying information, security code, access code, or password; or

(5) biometric information, meaning data generated by electronic measurements of an individual’s unique physical characteristics, such as a retina or iris scan, fingerprint, voiceprint, or scan of hand or face geometry, any of which is collected, retained, converted, stored or shared to identify an individual; or

(ii) a user name or e-mail address in combination with a password or security question and answer that would permit access to an online account.

“Private information” does not include publicly available information that is lawfully made available to the general public from federal, state, or local government records.

[b.] c. The term “breach of security” shall mean the unauthorized access, acquisition, disclosure or use [by an employee or agent of an agency, or the unauthorized possession by someone other than an employee or agent of an agency, of personal identifying information] of computerized data that compromises the security, confidentiality or integrity of [such] private information maintained by an agency. Good faith or inadvertent [possession of] access, acquisition, disclosure, or use of any [personal identifying] private information by an employee or agent of an agency for the legitimate purposes of the agency, and good faith or legally mandated disclosure of any [personal identifying] private information by an employee or agent of an agency for the legitimate purposes of the agency shall not constitute a breach of security, but in such instances an agency must comply with the protocols issued pursuant to subdivision i of section 10-502.

c. The term "consumer reporting agency" shall mean any person that, for monetary fees, dues, or on a cooperative nonprofit basis, regularly engages in whole or in part in the practice of assembling or evaluating consumer credit information or other information on consumers for the purpose of furnishing consumer reports to third parties, and uses any means or facility of interstate commerce for the purpose of preparing or furnishing consumer reports.

§ 2. Section 10-502 of the administrative code of the city of New York, as added by local law number 45 for the year 2005, is amended to read as follows:

§ 10-502. Agency disclosure of a [security breach] breach of security. a. Any city agency that owns, [or] leases, or licenses data that includes [personal identifying information and any city agency that maintains but does not own data that includes personal identifying] private information[,] shall [immediately] promptly disclose to the [police department] chief privacy officer, office of cyber command and department of information technology and telecommunications any breach of security following discovery by a supervisor or manager, or following notification to a supervisor or manager, of such breach if such [personal identifying] private information was, or is reasonably believed to have been, accessed, acquired, disclosed, or used by an unauthorized person.

b. Subsequent to compliance with the provisions set forth in subdivision a of this section, any city agency that owns, [or] leases, or licenses data that includes [personal identifying] private information shall disclose, in accordance with the procedures set forth in [subdivision] subdivisions d, e and f of this section, any breach of security following discovery by a supervisor or manager, or following notification to a supervisor or manager, of such breach to any [person] individual whose [personal identifying] private information was, or is reasonably believed to have been, accessed, acquired, disclosed, or used by an unauthorized person.

c. [Subsequent to compliance with the provisions set forth in subdivision a of this section, any] Any city agency that maintains but does not own, lease, or license data that includes [personal identifying] private information shall disclose[, in accordance with the procedures set forth in subdivision d of this section,] any breach of security following discovery by a supervisor or manager, or following notification to a supervisor or manager, of such breach to the owner, lessor or licensor of the data if the [personal identifying] private information was, or is reasonably believed to have been, accessed, acquired, disclosed, or used by an unauthorized person.

d. The disclosures required by subdivisions b and c of this section shall be made as soon as practicable by a method reasonable under the circumstances[. Provided] ,provided said method is not inconsistent with the legitimate needs of law enforcement or any other investigative or protective measures necessary to restore the [reasonable] integrity of the data system[, disclosures]. Disclosures required by subdivision b of this section shall be made to each affected individual by at least one of the following means:

1. Written notice [to the individual at his or her last known address]; or

2. [Verbal notification to the individual by telephonic communication] Telephonic notification, provided that a log of each such notification is maintained by the agency that notifies the affected individuals; or

3. Electronic notification [to the individual at his or her last known e-mail address] , provided that the affected individual has expressly consented to receiving such notification in electronic form and a log of each such notification is maintained by the agency that notifies affected individuals in such form; provided further, however, that in no case shall any individual or business require an individual to consent to accepting notification in such form as a condition of establishing any business relationship or engaging in any transaction.

e. Should disclosure pursuant to paragraph one, two or three of subdivision d be impracticable or inappropriate given the circumstances of the breach and the identity of the victim, such disclosure shall be made by a mechanism [of the agency’s election, provided such mechanism] that is reasonably targeted to the individual in a manner that does not further compromise the integrity of the [personal] private information.

f. In the event that five thousand or more New York residents are to be notified at one time pursuant to this section, the agency shall also notify consumer reporting agencies as to the timing, content and distribution of the notices and approximate number of affected individuals. Such notice shall be made without delaying notice to affected New York residents.

g. Notice to affected individuals under this section is not required if the exposure of private information was an inadvertent disclosure by persons authorized to access private information, and the agency reasonably determines, in accordance with the protocols established pursuant to subdivision i of this section, that such exposure will not likely result in misuse of such information, or financial, personal, or reputational harm to the affected individuals. Such a determination must be documented in writing and maintained for at least five years.

h. If notice of a breach of security is made to affected individuals pursuant to any law or rule of the state of New York, or pursuant to a law described in paragraph b of subdivision 2 of section two hundred eight of the state technology law, nothing in this section shall require any additional notice to those affected individuals, but notice still shall be provided pursuant to subdivision a of this section.

i. The office of cyber command, in consultation with the chief privacy officer and the department of information technology and telecommunications, shall issue protocols for agency coordination and recordkeeping for any breach of security and any incident that is not a breach of security but involves the good faith or inadvertent access, acquisition, disclosure, or use of any private information by an employee or agent of an agency for the legitimate purposes of the agency. Such protocols may apply to all agencies or a subset thereof.

j. Notifications made pursuant to this section may overlap with notifications required pursuant to the identifying information law, codified in chapter 12 of title 23, including the regulations, policies and protocols issued by the chief privacy officer pursuant to such law. Nothing in this section or the identifying information law shall require duplicate notifications, as long as any notice provided meets any applicable requirements of both this law and the identifying information law.

§ 3. Section 10-503 of the administrative code of the city of New York, as added by local law number 45 for the year 2005, is amended to read as follows:

§ 10-503 Agency disposal of [personal identifying] private information. An agency that discards records containing any individual’s [personal identifying] private information shall do so in a manner intended to prevent retrieval of the information contained therein or thereon.

§ 4. Section 20-117 of the administrative code of the city of New York is repealed and a new section 20-117 is added to read as follows:

§ 20-117 Licensee disclosure of breach of security, notification requirements. Any person who is required to be licensed pursuant to chapter two of this title, or pursuant to provisions of state law enforced by the department and who is also required to make a notification pursuant to subdivisions 2 or 3 of section 899-aa of the general business law shall promptly submit a copy of such notification to the department. Such notice shall be made without delaying notice to any individual whose private information was, or is reasonably believed to have been, accessed, acquired, disclosed, or used by an unauthorized person.

§ 5. Subchapter 1 of chapter 3 of title 17 of the administrative code of the city of New York is amended by adding a new section 17-302 to read as follows:

§ 17-302 Licensee disclosure of breach of security, notification requirements. Every recipient of a license issued pursuant to this title who is required to make a notification pursuant to subdivisions 2 or 3 of section 899-aa of the general business law shall promptly submit a copy of such notification to the department. Such notice shall be made without delaying notice to any individual whose private information was, or is reasonably believed to have been, acquired by an unauthorized person.

§ 6. Section 19-546 of the administrative code of the city of New York, as added by local law 43 for the year 2016, is amended by adding a new subdivision d to read as follows:

d. Every recipient of a license obtained pursuant to this chapter who is required to make a notification pursuant to subdivisions 2 or 3 of section 899-aa of the general business law shall promptly submit a copy of such notification to the commission. Such notice shall be made without delaying notice to any individual whose private information was, or is reasonably believed to have been, acquired by an unauthorized person.

§ 7. This local law takes effect 120 days after it becomes law, except that the office of the mayor and any other agency may take such measures prior to such date as are necessary for implementation of this local law, including the promulgation of rules.

1. Investopedia “The Higher Education Act of 1965 (HEA)”, available at: <https://www.investopedia.com/terms/h/higher-education-act-of-1965-hea.asp>. [↑](#footnote-ref-1)
2. Jennifer Wadia “Rising tuition costs and the history of student loans” *Student Debt Relief*, September 25, 2018, available at: <https://www.studentdebtrelief.us/news/rising-tuition-costs-and-the-history-of-student-loans/>. [↑](#footnote-ref-2)
3. Emmie Martin “Here’s how much more expensive it is for you to go to college than it was for your parents” *CNBC*, November 29, 2017, available at: <https://www.cnbc.com/2017/11/29/how-much-college-tuition-has-increased-from-1988-to-2018.html>. [↑](#footnote-ref-3)
4. Melanie Hanson “Student loan debt statistics”, *Education Data Initiative*, September 27, 2021, available at: <https://educationdata.org/student-loan-debt-statistics>. [↑](#footnote-ref-4)
5. Zack Friedman “Student loan debt statistics in 2021: A record $1.7 trillion”, *Forbes*, February 20, 2021, available at: <https://www.forbes.com/sites/zackfriedman/2021/02/20/student-loan-debt-statistics-in-2021-a-record-17-trillion/?sh=4fb3de151431>. [↑](#footnote-ref-5)
6. Abigail Johnson Hess “The U.S. has a record-breaking $1.73 trillion in student debt—borrowers from these states owe the most on average”, *CNBC*, September 9, 2021, available at: <https://www.cnbc.com/2021/09/09/america-has-1point73-trillion-in-student-debtborrowers-from-these-states-owe-the-most.html>. [↑](#footnote-ref-6)
7. Id. [↑](#footnote-ref-7)
8. Anna Helhoski and Ryan Lane “Student loan debt statistics: 2021”, *Nerd Wallet*, August 19, 2021, available at: <https://www.nerdwallet.com/article/loans/student-loans/student-loan-debt>. [↑](#footnote-ref-8)
9. Id. [↑](#footnote-ref-9)
10. Judith Scott-Clayton “The looming student loan default crisis is worse than we thought” *Evidence Speaks Reports*, Vol. 2, #34, January 10, 2018, available at: <https://www.brookings.edu/wp-content/uploads/2018/01/scott-clayton-report.pdf>. [↑](#footnote-ref-10)
11. Id. [↑](#footnote-ref-11)
12. Zack Friedman “Can student loans now be discharged in bankruptcy?” *Forbes*, June 18, 2018, available at: <https://www.forbes.com/sites/zackfriedman/2018/06/18/bankruptcy-student-loans/>. [↑](#footnote-ref-12)
13. Judith Scott-Clayton “The looming student loan default crisis is worse than we thought” *Evidence Speaks Reports*, Vol. 2, #34, January 10, 2018, available at: <https://www.brookings.edu/wp-content/uploads/2018/01/scott-clayton-report.pdf>. [↑](#footnote-ref-13)
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15. Id. [↑](#footnote-ref-15)
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