



Legislation Details (With Text)

File #: Int 2418-2021 **Version:** * **Name:** Provision of internet service to residential tenants.
Type: Introduction **Status:** Filed (End of Session)
In control: Committee on Housing and Buildings

On agenda: 10/7/2021

Enactment date: **Enactment #:**

Title: A Local Law to amend the administrative code of the city of New York, in relation to the provision of internet service to residential tenants

Sponsors: Ben Kallos

Indexes: Agency Rule-making Required

Attachments: 1. Summary of Int. No. 2418, 2. Int. No. 2418, 3. October 7, 2021 - Stated Meeting Agenda with Links to Files, 4. Hearing Transcript - Stated Meeting 10-7-21, 5. Minutes of the Stated Meeting - October 7, 2021

Date	Ver.	Action By	Action	Result
10/7/2021	*	City Council	Introduced by Council	
10/7/2021	*	City Council	Referred to Comm by Council	
12/31/2021	*	City Council	Filed (End of Session)	

Int. No. 2418

By Council Member Kallos

A Local Law to amend the administrative code of the city of New York, in relation to the provision of internet service to residential tenants

Be it enacted by the Council as follows:

Section 1. Article 12 of subchapter 2 of chapter 2 of title 27 of the administrative code of the city of New York is amended by adding a new section 27-2051.2 to read as follows:

§ 27-2051.2 Internet service. a. Definitions. For purposes of this section, the following terms have the following meanings:

Broadband internet service. The term “broadband internet service” means a mass-market retail service by wire or radio that provides the capability to transmit data to and receive data from all or substantially all internet endpoints, including any capabilities that are incidental to and enable the operation of the communications service, but excluding dial-up internet access service. Broadband internet service shall support

speeds no less than those determined by the federal communications commission, in such commission's most recent notice of inquiry initiated pursuant to subsection (b) of section 1302 of title 47 of the United States code, to meet the definition of the term "advanced telecommunications capability," as defined in paragraph (1) of subsection (d) of section 1302 of title 47 of the United States code, or any higher speeds set forth in rules of the department.

City financial assistance. The term "city financial assistance" means any loan, grant, tax credit, tax exemption, tax abatement, subsidy, mortgage, debt forgiveness, land conveyance for less than appraised value, land value or other thing of value allocated, conveyed or expended by the city.

b. Internet service required. 1. An owner of a multiple dwelling comprising 10 dwelling units or more shall provide internet service to each dwelling unit therein for the use of the tenants and occupants of such dwelling unit by either:

(a) Contracting for broadband internet service with a broadband internet service provider; or

(b) Directly connecting the dwelling unit to internet service by way of ethernet cable or successor technology, provided that such connection meets the same standards of service as a broadband internet service available to such multiple dwelling, including but not limited to maintenance and uptime guarantees.

2. The cost of internet service provided pursuant to this subdivision, including any related charges for connection, activation or convenience, shall not be passed on to a tenant.

c. Facilities. Each dwelling unit within a multiple dwelling of 10 dwelling units or more shall have at least one port for ethernet cable connection in every living room within such unit.

d. Wiring. A multiple dwelling of 10 dwelling units or more shall contain wiring as necessary to facilitate connection to internet service in each such dwelling unit therein as required by subdivision b of this section. Such wiring shall meet the standards of category 6 gigabit cabling, as established by the telecommunications industry association, or a successor grade sufficient to provide internet service pursuant to this section, as determined by the department.

e. Prior existing multiple dwellings. An owner of a multiple dwelling of 10 or more dwelling units constructed on or before the effective date of the local law that added this section shall meet the requirements of this section no later than January 1, 2026, except that:

1. The requirements of this section shall be met by such owner before January 1, 2026, in any such multiple dwelling that undergoes alteration before such date, and no later than the completion of such alteration; and

2. The requirements of this section may be met in any such multiple dwelling where the owner of such multiple dwelling provides any service that the department determines is the functional equivalent of broadband internet service.

f. Financial assistance. Subject to appropriation, the department of housing preservation and development shall assist owners of multiple dwellings of 10 or more dwelling units constructed on or before the effective date of the local law that added this section by providing city financial assistance to such owners.

g. Rules. The department shall promulgate rules in furtherance of the provisions of this section

h. Additional internet service not prohibited. This section shall not be construed to limit a tenant's ability to purchase, or an owner's ability to charge for, internet service at a greater speed than that required by this section and the rules of the department, provided, however, that any charges by an owner for such service shall not include the cost of internet service required by subdivision b of this section, as provided in paragraph 2 of such subdivision.

§ 2. This local law takes effect 180 days after it becomes law, except that the department of housing preservation and development shall take such measures as are necessary for the implementation of this local law, including the promulgation of rules, before such date.