

**LOCAL LAWS  
OF  
THE CITY OF NEW YORK  
FOR THE YEAR 2021**

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**No. 106**

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Introduced by Council Members Koo, Yeger, Holden, Vallone, Barron, Rose and Gennaro.

**A LOCAL LAW**

**To amend the administrative code of the city of New York, in relation to requiring an online payment grace period**

*Be it enacted by the Council as follows:*

Section 1. Chapter 8 of title 23 of the administrative code of the city of New York is amended by adding a new section 23-806 to read as follows:

*§ 23-806 Online payment grace period. a. For the purposes of this section, the following terms have the following meanings:*

*Electronic system. The term “electronic system” means any website, network, online infrastructure or internally or externally accessible electronic systems constructed or maintained by or on behalf of the city.*

*Electronic system failure. The term “electronic system failure” means a malfunction, or unauthorized denial of service, in an electronic system that makes it impossible for one or more persons to make payments to a city agency.*

*b. In the event that an electronic system failure disables, for 24 hours or more, an electronic system used by persons to make payments to an agency, such affected agency shall establish a 48-hour grace period after such system is restored, during which no late payment fees or interest will be incurred for any payment due in the time period during which such electronic system*

*failure disabled such system, provided that if only certain persons owing payments to such affected agency are unable to make such payments due to an electronic system failure, such affected agency shall allow such persons to file claims to forgive late payment fees and interest accrued during such electronic system failure. Nothing in this section shall be construed to require such affected agency to establish a grace period in addition to any grace period separately required by law or rule unless an electronic system failure extends to or beyond the end of such separately required grace period.*

*c. When an agency is required to establish a 48-hour grace period pursuant to this section, the agency head shall have the discretion to extend such grace period to a period not exceeding seven days; provided that for mayoral agencies such discretion shall be exercised by the mayor; and further provided that for boards and commissions such discretion shall be exercised by the chair of such board or commission.*

§ 2. 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.

THE CITY OF NEW YORK, OFFICE OF THE CITY CLERK, s.s.:

I hereby certify that the foregoing is a true copy of a local law of The City of New York, passed by the Council on September 9, 2021 and returned unsigned by the Mayor on October 12, 2021.

MICHAEL M. McSWEENEY, City Clerk, Clerk of the Council.

CERTIFICATION OF CORPORATION COUNSEL

I hereby certify that the form of the enclosed local law (Local Law No. 106 of 2021, Council Int. No. 1152-A of 2018) to be filed with the Secretary of State contains the correct text of the local law passed by the New York City Council, presented to the Mayor and neither approved nor disapproved within thirty days thereafter.

STEPHEN LOUIS, Acting Corporation Counsel.