

# NEW YORK AFFORDABLE BROADBAND ACT



In April of 2021, New York state lawmakers passed the **Affordable Broadband Act (ABA)** that requires Internet Service Providers (ISPs) operating in the Empire State to “**offer Internet service at certain download speeds to qualifying households at reduced prices.**” [Bill text here.](#)

Now that the U.S. Supreme Court decided not to intervene after a US appeals court upheld the law in April of 2024, the law is in effect.

## What the ABA does

Requires most ISPs to offer 25 Megabits per second (Mbps) broadband service for **\$15/month** to eligible low-income households. Prices can increase after 5 years.

ISPs can instead offer 200 Mbps service for **\$20/month**. Prices can increase after 2 years, based roughly on CPI. ISPs will report how many use this service.

## Why ABA Was Passed

**The law seeks to address the most common barrier to broadband adoption: affordability.**

It does so while recognizing the importance of cultivating competitive markets for the benefit of consumers with carve-out protections for smaller ISPs.

## Targeted Approach

**ISPs that serve fewer than 20,000 households are exempt from the law.**

An exemption protects small, independent ISPs from economic hardship as the large incumbent ISPs are in a much stronger financial position to offer a low-cost service, particularly national monopoly providers who have been extracting premium prices while delivering spotty reliability and often poor customer service.

Lawmakers sought to ensure the barrier for market entry for small independent ISPs to compete and innovate was not hampered.

## Potential Impact

An estimated **1.7 million New York households** who were enrolled in the now expired Affordable Connectivity Program stand to possibly benefit.

With the constitutional and legal questions settled **other states are considering whether to enact a similar law.** For example, a State Senator in Massachusetts recently filed a [similar bill](#) for consideration in the Bay State.

A [deeper analysis of the ABA is here.](#)