

# STATE OF NEW YORK

7533

2025-2026 Regular Sessions

## IN ASSEMBLY

April 1, 2025

Introduced by M. of A. BICHOTTE HERMELYN, SHIMSKY, ZINERMAN, REYES,  
EPSTEIN -- read once and referred to the Committee on Housing

AN ACT to amend the general business law, in relation to senior citizens  
and disabled persons

The People of the State of New York, represented in Senate and Assem-  
bly, do enact as follows:

1 Section 1. Subparagraphs (iii) and (iv) of paragraph (a) of subdivi-  
2 sion 2-a of section 352-e of the general business law, as added by chap-  
3 ter 771 of the laws of 1983, are amended to read as follows:

4 (iii) "Eligible senior citizens". Non-purchasing tenants who are  
5 sixty-two years of age or older on the date the attorney general has  
6 accepted the plan for filing, and the spouses of any such tenants on  
7 such date, [~~and who have elected~~] or any member of the tenant's house-  
8 hold, lawfully occupying the premises as such person's residence who is  
9 sixty-two years of age or older on such date, provided, in the case of a  
10 tenant's household member, that such person has lived in the housing  
11 accommodation as such person's residence for a period of no less than  
12 one year preceding such date. The tenant must elect, within sixty days  
13 of the date the attorney general has accepted the plan for filing, on  
14 forms promulgated by the attorney general and presented to such tenants  
15 by the offeror, to become non-purchasing tenants under the provisions of  
16 this subdivision; provided that such election shall not preclude any  
17 such tenant from subsequently purchasing the dwelling unit on the terms  
18 then offered to tenants in occupancy.

19 (iv) "Eligible disabled persons". Non-purchasing tenants who have an  
20 impairment which results from anatomical, physiological or psychological  
21 conditions, other than addiction to alcohol, gambling, or any controlled  
22 substance, which are demonstrable by medically acceptable clinical and  
23 laboratory diagnostic techniques, and which are expected to be permanent  
24 and which [~~prevent the tenant from engaging in any substantial gainful~~  
25 ~~employment~~] substantially limit one or more major life activities on the

EXPLANATION--Matter in italics (underscored) is new; matter in brackets  
[-] is old law to be omitted.

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1 date the attorney general has accepted the plan for filing, and the  
2 spouses of any such tenants on such date, [~~and who have elected~~] or any  
3 member of the tenant's household, lawfully occupying the premises as  
4 such person's residence, who has such an impairment on such date,  
5 provided, in the case of the tenant's household member, that such person  
6 has lived in the housing accommodation as such person's residence for a  
7 period of no less than one year preceding such date. The tenant must  
8 elect, within sixty days of the date the attorney general has accepted  
9 the plan for filing, on forms promulgated by the attorney general and  
10 presented to such tenants by the offeror, to become non-purchasing  
11 tenants under the provisions of this subdivision; provided, however,  
12 that if the disability first occurs after acceptance of the plan for  
13 filing, then such election may be made within sixty days following the  
14 onset of such disability unless during the period subsequent to sixty  
15 days following the acceptance of the plan for filing but prior to such  
16 election, the offeror accepts a written agreement to purchase the apart-  
17 ment from a bona fide purchaser; and provided further that such election  
18 shall not preclude any such tenant from subsequently purchasing the  
19 dwelling unit or the shares allocated thereto on the terms then offered  
20 to tenants in occupancy.

21 § 2. Paragraphs (f) and (g) of subdivision 1 of section 352-eee of the  
22 general business law, as added by chapter 402 of the laws of 1983, are  
23 amended to read as follows:

24 (f) "Eligible senior citizens". Non-purchasing tenants who are sixty-  
25 two years of age or older on the date the plan is declared effective and  
26 the spouses of any such tenants on such date; [~~provided that~~] or any  
27 member of the tenant's household, lawfully occupying the premises as  
28 such person's residence who is sixty-two years of age or older on such  
29 date, provided, in the case of a tenant's household member, that such  
30 person has lived in the housing accommodation as such person's residence  
31 for a period of no less than one year preceding such date such tenant  
32 shall not be precluded from subsequently purchasing the dwelling unit on  
33 the terms then offered to tenants in occupancy.

34 (g) "Eligible disabled persons". Non-purchasing tenants who have an  
35 impairment which results from anatomical, physiological or psychological  
36 conditions, other than addiction to alcohol, gambling, or any controlled  
37 substance, which are demonstrable by medically acceptable clinical and  
38 laboratory diagnostic techniques, and which are expected to be permanent  
39 and which [~~prevent the tenant from engaging in any substantial gainful~~  
40 ~~employment~~] substantially limit one or more major life activities on the  
41 date the attorney general has accepted the plan for filing, and the  
42 spouses of any such tenants on such date, [~~and who have elected~~] or any  
43 member of the tenant's household, lawfully occupying the premises as  
44 such person's residence who has such an impairment on such date,  
45 provided, in the case of the tenant's household member, that such person  
46 has lived in the housing accommodation as such person's residence for a  
47 period of no less than one year preceding such date. The tenant must  
48 elect, within sixty days of the date the attorney general has accepted  
49 the plan for filing, on forms promulgated by the attorney general and  
50 presented to such tenants by the offeror, to become non-purchasing  
51 tenants under the provisions of this section; provided, however, that if  
52 the disability first occurs after acceptance of the plan for filing,  
53 then such election may be made within sixty days following the onset of  
54 such disability unless during the period subsequent to sixty days  
55 following the acceptance of the plan for filing but prior to such  
56 election, the offeror accepts a written agreement to purchase the apart-

1 ment from a bona fide purchaser; and provided further that such election  
2 shall not preclude any such tenant from subsequently purchasing the  
3 dwelling unit or the shares allocated thereto on the terms then offered  
4 to tenants in occupancy.

5 § 3. Paragraphs (f) and (g) of subdivision 1 of section 352-eeee of  
6 the general business law, as amended by section 1 of part N of chapter  
7 36 of the laws of 2019, are amended to read as follows:

8 (f) "Eligible senior citizens". Non-purchasing tenants who are sixty-  
9 two years of age or older on the date the plan is submitted to the  
10 department of law or on the date the attorney general has accepted the  
11 plan for filing, and the spouses of any such tenants on such date, [~~and~~  
12 ~~who have elected~~] or any member of the tenant's household, lawfully  
13 occupying the premises as such person's residence who is sixty-two years  
14 of age or older on such date, provided, in the case of a tenant's house-  
15 hold member, that such person has lived in the housing accommodation as  
16 such person's residence for a period of no less than one year preceding  
17 such date. The tenant must elect, within sixty days of the date the plan  
18 is submitted to the department of law or on the date the attorney gener-  
19 al has accepted the plan for filing, on forms promulgated by the attor-  
20 ney general and presented to such tenants by the offeror, to become  
21 non-purchasing tenants under the provisions of this section; provided  
22 that such election shall not preclude any such tenant from subsequently  
23 purchasing the dwelling unit on the terms then offered to tenants in  
24 occupancy.

25 (g) "Eligible disabled persons". Non-purchasing tenants who have an  
26 impairment which results from anatomical, physiological or psychological  
27 conditions, other than addiction to alcohol, gambling, or any controlled  
28 substance, which are demonstrable by medically acceptable clinical and  
29 laboratory diagnostic techniques, and which are expected to be permanent  
30 and which [~~prevent the tenant from engaging in any substantial gainful~~  
31 ~~employment~~] are expected to be permanent and which substantially limit  
32 one or more major life activities on the date the plan is submitted to  
33 the department of law or on the date the attorney general has accepted  
34 the plan for filing, and the spouses of any such tenants on such date,  
35 [~~and who have elected~~] or any member of the tenant's household,  
36 lawfully occupying the premises as such person's residence on such date,  
37 provided in the case of a tenant's household member, that such person  
38 has lived in the housing accommodation as such person's residence for a  
39 period of no less than one year preceding such date. The tenant must  
40 elect, within sixty days of the date the plan is submitted to the  
41 department of law or on the date the attorney general has accepted the  
42 plan for filing, on forms promulgated by the attorney general and  
43 presented to such tenants by the offeror, to become non-purchasing  
44 tenants under the provisions of this section; provided, however, that if  
45 the disability first occurs after acceptance of the plan for filing,  
46 then such election may be made within sixty days following the onset of  
47 such disability unless during the period subsequent to sixty days  
48 following the acceptance of the plan for filing but prior to such  
49 election, the offeror accepts a written agreement to purchase the apart-  
50 ment from a bona fide purchaser; and provided further that such election  
51 shall not preclude any such tenant from subsequently purchasing the  
52 dwelling unit or the shares allocated thereto on the terms then offered  
53 to tenants in occupancy.

54 § 4. This act shall take effect immediately.