

# STATE OF NEW YORK

8761

## IN SENATE

January 8, 2026

Introduced by Sen. COMRIE -- read twice and ordered printed, and when printed to be committed to the Committee on Rules

AN ACT to amend the real property actions and proceedings law, in relation to certain conditions for a grant of permission for access to adjoining property to make improvements or repairs

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

1 Section 1. Paragraph (e) of subdivision 1 and paragraph (d) of subdivi-  
2 sion 4 of section 881 of the real property actions and proceedings  
3 law, as added by a chapter of the laws of 2025 amending the real proper-  
4 ty actions and proceedings law relating to access to adjoining property  
5 to make improvements or repairs, as proposed in legislative bills  
6 numbers S. 3799-C and A. 357-B, are amended to read as follows:

7 (e) the term "state entity" shall refer to [~~the metropolitan transpor-~~  
8 ~~tation authority~~] any department, division, agency, office, public  
9 authority, or public benefit corporation of the state of New York, or  
10 [~~its~~] any affiliate or subsidiary agencies of such department, division,  
11 agency, office, public authority, or public benefit corporation.

12 (d) [~~The licensee and/or any contractor, consultant or agent thereof~~  
13 ~~that accesses the adjoining property pursuant to the license shall~~  
14 ~~procure and maintain commercial general liability insurance for damage~~  
15 ~~to persons or property, naming the adjoining owner and/or its lessee(s),~~  
16 ~~as applicable and made known to the licensee, as additional insureds, in~~  
17 ~~such amounts as are commercially reasonable for the entry to the adjoin-~~  
18 ~~ing property.~~] The licensee shall provide the adjoining owner and its  
19 lessee or lessees, as applicable and as made known to the licensee by  
20 the adjoining owner, with relevant documents confirming the licensee  
21 and/or any contractor, consultant or agent thereof that accesses the  
22 adjoining property pursuant to a license granted pursuant to this  
23 section maintains commercial general liability insurance, provided such  
24 documents are sufficient to enable the adjoining owner and/or its lessee  
25 or lessees, as applicable, to make a third-party claim under such insur-  
26 ance in the event that such licensee and/or any contractor, consultant

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

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1 or agent thereof damages the adjoining property or any persons  
2 thereupon; and

3 § 2. This act shall take effect on the same date and in the same  
4 manner as a chapter of the laws of 2025 amending the real property  
5 actions and proceedings law relating to access to adjoining property to  
6 make improvements or repairs, as proposed in legislative bills numbers  
7 S. 3799-C and A. 357-B, takes effect.