S T A T E O F N E W Y O R K

4859

2009-2010 Regular Sessions

I N S E N A T E

April 27, 2009

Introduced by Sen. MAZIARZ -- read twice and ordered printed, and when printed to be committed to the Committee on Consumer Protection

AN ACT to amend the general business law, in relation to cancellation of membership campground contracts

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. Section 654 of the general business law is amended by adding a new subdivision 3 to read as follows:

3. A PURCHASER OF A MEMBERSHIP CAMPGROUND CONTRACT SHALL HAVE THE RIGHT TO CANCEL SUCH CONTRACT UNDER THE FOLLOWING CONDITIONS:

A. THE PURCHASER HAS BEEN A MEMBER IN GOOD STANDING FOR A PERIOD OF NOT LESS THAN FIVE YEARS; OR

B. THE PURCHASER HAS RECEIVED WRITTEN CERTIFICATION FROM A PHYSICIAN THAT THEIR HEALTH AND/OR PHYSICAL CONDITION WILL NO LONGER PERMIT SUCH PERSON TO UTILIZE THE FACILITIES OFFERED BY THE MEMBERSHIP CAMPGROUND; OR

C. THE PURCHASER HAS RELOCATED TO A PERMANENT RESIDENCE NOT LESS THAN FIVE HUNDRED MILES FROM THE MEMBERSHIP CAMPGROUND.

WHERE A PURCHASER CANCELS A CONTRACT PURSUANT TO THIS SUBDIVISION SUCH PURCHASER SHALL BE REQUIRED TO HAVE PAID ALL OUTSTANDING FEES, DUES, OR ANY OTHER PAYMENTS DUE TO THE MEMBERSHIP CAMPGROUND THROUGH THE BALANCE OF THE CURRENT CALENDAR YEAR. NOTIFICATION OF THE INTENT TO CANCEL A MEMBERSHIP CAMPGROUND CONTRACT SHALL BE DELIVERED TO THE MANAGEMENT OF THE MEMBERSHIP CAMPGROUND BY CERTIFIED UNITED STATES MAIL THIRTY DAYS PRIOR TO CANCELLATION.

S 2. This act shall take effect immediately.

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

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