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

10043

I N A S S E M B L Y

February 26, 2010

Introduced by M. of A. SCHIMMINGER -- read once and referred to the Committee on Judiciary

AN ACT to amend the general obligations law, in relation to automatic renewal of contracts for electronic and life safety alarm services

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

Section 1. Section 5-903 of the general obligations law is amended by adding a new subdivision 2-a to read as follows:

2-A. PAYMENT BY THE PERSON RECEIVING THE SERVICE OF AN INVOICE ON A CONTRACT FOR ELECTRONIC AND LIFE SAFETY ALARM SERVICES AFTER EXPIRATION OF THE TERM OF THE CONTRACT SHALL BE CONSIDERED ACKNOWLEDGMENT BY THE PERSON RECEIVING THE SERVICE THAT THE TERM OF THE CONTRACT HAS BEEN EXTENDED OR RENEWED AND SUCH PAYMENT SHALL FULFILL THE NOTICE REQUIREMENTS OF THIS SECTION, PROVIDED THAT SUCH INVOICE CLEARLY INDICATES THAT PAYMENT CONSTITUTES AN EXTENSION OR RENEWAL OF SUCH CONTRACT AND PROVIDES THE TERMS OF SUCH EXTENSION OR RENEWAL.

S 2. This act shall take effect on the ninetieth day after it shall have become a law.

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

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