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

3765

2011-2012 Regular Sessions

I N S E N A T E

March 3, 2011

Introduced by Sens. BONACIC, ADDABBO, KRUGER, LAVALLE, OPPENHEIMER, RANZENHOFER, SEWARD -- read twice and ordered printed, and when printed to be committed to the Committee on Judiciary

AN ACT to amend the general obligations law, in relation to contracts relating or referring to hydraulic fracturing

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

Section 1. The general obligations law is amended by adding a new section 5-336 to read as follows:

S 5-336. HYDRAULIC FRACTURING CONTRACTS. 1. FOR THE PURPOSES OF THIS SECTION, THE TERM "HYDRAULIC FRACTURING," "HYDRO-FRACTURING" AND "HYDRO-FRACKING" SHALL MEAN FRACTURING OF ROCK BY MAN-MADE FLUID-DRIVEN FRACTURING TECHNIQUES FOR THE PURPOSE OF STIMULATING NATURAL GAS OR OIL WELL PRODUCTION.

2. NO CONTRACT RELATING OR REFERRING TO HYDRAULIC FRACTURING, HYDRO-FRACTURING OR HYDRO-FRACKING SHALL:

A. PROHIBIT THE DISCLOSURE, BY ANY PARTY, OF THE CHEMICALS USED IN HYDRAULIC FRACTURING; OR

B. DIMINISH PAYMENT TO ANY CONTRACTING PARTY AS A RESULT OF THE INCLUSION OF A PROVISION DISCLOSING THE CHEMICALS USED IN HYDRAULIC FRACTURING.

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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