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

S. 6130 A. 8911

S E N A T E - A S S E M B L Y

(PREFILED)

January 4, 2012

IN SENATE -- Introduced by Sens. GIANARIS, AVELLA, BRESLIN, MONTGOMERY, OPPENHEIMER, PERKINS -- read twice and ordered printed, and when printed to be committed to the Committee on Judiciary

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

AN ACT to amend the general obligations law, in relation to granting immunity from liability for personal injury, death or property damage incurred by a victim of a crime while seeking assistance upon the premises of a business entity or not-for-profit corporation

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

Section 1. Section 9-103 of the general obligations law is amended by adding a new subdivision 2-a to read as follows:

2-A. AN OWNER, LESSEE OR OCCUPANT OF A PREMISES, WHICH IS OPERATED AS A BUSINESS ENTITY OR NOT-FOR-PROFIT CORPORATION, WHO PROVIDES ASSISTANCE TO A VICTIM OF A CRIME BY ALLOWING SUCH VICTIM TO REMAIN UPON SUCH PREMISES FOR THE PURPOSE OF SUMMONING A POLICE OFFICER AND/OR EMERGENCY MEDICAL PERSONNEL, SHALL ASSUME NO RESPONSIBILITY FOR OR INCUR LIABILITY FOR ANY PERSONAL INJURY, DEATH OR PROPERTY DAMAGE SUSTAINED BY THE CRIME VICTIM WHILE UPON SUCH PREMISES IN THE COURSE OF SEEKING ASSISTANCE, UNLESS IT IS ESTABLISHED THAT SUCH INJURY OR DEATH WAS CAUSED BY GROSS NEGLIGENCE ON THE PART OF SUCH BUSINESS ENTITY OR NOT-FOR-PROFIT CORPORATION.

S 2. This act shall take effect on the sixtieth 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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