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

6699--A

2015-2016 Regular Sessions

I N A S S E M B L Y

March 30, 2015

Introduced by M. of A. ENGLEBRIGHT, MOSLEY, TITONE, GOTTFRIED, ABINANTI, WEPRIN -- Multi-Sponsored by -- M. of A. BRENNAN, COOK, GLICK, RIVERA -- read once and referred to the Committee on Judiciary -- recommitted to the Committee on Judiciary in accordance with Assembly Rule 3, sec. 2 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the real property law, in relation to leases of real property for the purposes of hydraulic fracturing

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

Section 1. The real property law is amended by adding a new section 222-a to read as follows:

S 222-A. PROPERTY LEASED FOR HYDRAULIC FRACTURING. 1. FOR THE PURPOSES OF THIS SECTION, "HYDRAULIC FRACTURING" MEANS THE USE OF CHEMICALS, WATER AND OTHER SUBSTANCES INJECTED OR PUMPED INTO A NATURAL GAS WELL TO STIMULATE THE EXTRACTION OF NATURAL GAS.

2. NO LEASE OF REAL PROPERTY SHALL PROVIDE FOR OR REQUIRE THE NON-DISCLOSURE OF ANY TERM OR CONDITION THEREOF, WHEN ANY PORTION OF SUCH REAL PROPERTY IS TO BE USED FOR HYDRAULIC FRACTURING. EVERY LEASE OF REAL PROPERTY USED FOR SUCH PURPOSES SHALL INCLUDE ALL TERMS AND CONDITIONS OF THE USE OF THE REAL PROPERTY. ANY LEASE PROVISION WHICH VIOLATES THE PROVISIONS OF THIS SUBDIVISION SHALL BE VOID AS CONTRARY TO PUBLIC POLICY. ANY LEASE PROVISION THAT IS VOID SHALL NOT AFFECT IN ANY WAY ANY OTHER LEASE PROVISION; ALL OTHER TERMS OF THE LEASE SHALL REMAIN IN FULL FORCE AND EFFECT.

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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