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

6870

2015-2016 Regular Sessions

I N A S S E M B L Y

April 8, 2015

Introduced by M. of A. ROSENTHAL -- read once and referred to the Committee on Housing

AN ACT to amend the cooperative corporations law and the not-for-profit corporation law, in relation to requiring the board of directors of residential cooperative corporations and not-for-profit corporations to provide members, stockholders, and delegates with changes to the by-laws in writing within ten days of adoption; in relation to notification to tenants of changes affecting occupancy or the rules of the building

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

Section 1. Section 16 of the cooperative corporations law is amended to read as follows:

S 16. By-laws. 1. The by-laws may provide for their amendment by the board of directors; but any amendment adopted by the board shall be reported to the annual meeting of the corporation and, if not affirmatively approved thereat, shall cease to be in effect. By-laws may be adopted, repealed or amended on the affirmative vote of two-thirds of the members, stockholders or delegates voting thereon at a meeting held after due written notice setting forth the proposed action and the purpose of the meeting.

2. IN THE CASE OF RESIDENTIAL COOPERATIVE CORPORATIONS, CHANGES INCLUDING THE ADOPTION, AMENDMENT OR REPEAL OF THE BY-LAWS BY THE BOARD OF DIRECTORS SHALL BE PROVIDED TO THE MEMBERS, STOCKHOLDERS, AND DELEGATES OF SUCH CORPORATION IN WRITING WITHIN TEN DAYS OF SUCH ADOPTION.

S 2. The cooperative corporations law is amended by adding a new section 78 to read as follows:

S 78. NOTIFICATION TO TENANTS. MEMBERS, STOCKHOLDERS AND DELEGATES WHO POSSESS UNITS IN A RESIDENTIAL COOPERATIVE CORPORATION SHALL NOTIFY TENANTS WITHIN TEN DAYS OF RECEIPT OF NOTIFICATION OF THE ADOPTION, AMENDMENT OR REPEAL OF THE BY-LAWS BY THE BOARD OF DIRECTORS PURSUANT TO

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

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SUBDIVISION TWO OF SECTION SIXTEEN OF THIS CHAPTER, WHERE SUCH CHANGE WOULD HAVE A DIRECT EFFECT ON THE TENANT'S OCCUPANCY OR THE RULES OF THE BUILDING.

S 3. Section 602 of the not-for-profit corporation law is amended by adding a new paragraph (g) to read as follows:

(G) IN THE CASE OF RESIDENTIAL NOT-FOR-PROFIT CORPORATIONS, CHANGES INCLUDING THE ADOPTION, AMENDMENT OR REPEAL OF THE BY-LAWS BY THE BOARD OF DIRECTORS SHALL BE PROVIDED TO THE MEMBERS, STOCKHOLDERS, AND DELEGATES OF SUCH CORPORATION IN WRITING WITHIN TEN DAYS OF SUCH ADOPTION.

S 4. The not-for-profit corporation law is amended by adding a new section 624 to read as follows:

S 624. NOTIFICATION TO TENANTS. MEMBERS, STOCKHOLDERS AND DELEGATES WHO POSSESS UNITS IN A RESIDENTIAL NOT-FOR-PROFIT CORPORATION SHALL NOTIFY TENANTS WITHIN TEN DAYS OF RECEIPT OF NOTIFICATION OF THE ADOPTION, AMENDMENT OR REPEAL OF THE BY-LAWS BY THE BOARD OF DIRECTORS PURSUANT TO PARAGRAPH (G) OF SECTION SIX HUNDRED TWO OF THIS ARTICLE, WHERE SUCH CHANGE WOULD HAVE A DIRECT EFFECT ON THE TENANT'S OCCUPANCY OR THE RULES OF THE BUILDING.

S 5. This act shall take effect on the sixtieth day after it shall have become a law.