7717--A

2015-2016 Regular Sessions

I N   A S S E M B L Y

May 26, 2015
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Introduced by M. of A. DenDEKKER -- read once and referred to the
  Committee on Consumer Affairs and Protection -- committee discharged,
  bill amended, ordered reprinted as amended and recommitted to said
  committee

AN ACT to amend the military law, in relation to the termination without
  penalty of certain service contracts

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

 1   Section 1. The military law is amended by adding a new section 311-c
 2 to read as follows:
 3   S 311-C. TERMINATION WITHOUT PENALTY OF CERTAIN SERVICE CONTRACTS. 1.
 4 THE PROVISIONS OF THIS SECTION SHALL APPLY TO EVERY CONTRACT FOR
 5 SERVICES FROM A TELECOMMUNICATIONS SERVICE PROVIDER, AN INTERNET SERVICE
 6 PROVIDER, A HEALTH CLUB AS DEFINED IN SECTION SIX HUNDRED TWENTY-ONE OF
 7 THE GENERAL BUSINESS LAW, A HEALTH SPA, OR A PROVIDER OF TELEVISION
 8 SERVICES, INCLUDING BUT NOT LIMITED TO CABLE TELEVISION, DIRECT SATEL-
 9 LITE AND OTHER TELEVISION-LIKE SERVICES, IN ANY CASE IN WHICH: (A) SUCH
10 CONTRACT WAS EXECUTED ON OR AFTER THE EFFECTIVE DATE OF THIS SECTION BY
11 OR ON BEHALF OF A PERSON WHO, AFTER THE EXECUTION OF SUCH CONTRACT,
12 ENTERED ACTIVE MILITARY SERVICE FOR NINETY DAYS OR LONGER; AND (B) THE
13 PERSON'S MILITARY SERVICE IS AT A LOCATION WHERE THE SERVICE PROVIDER
14 CANNOT PROVIDE THE SERVICES COVERED BY THE CONTRACT.
15   2. (A) ANY CONTRACT DESCRIBED IN SUBDIVISION ONE OF THIS SECTION MAY
16 BE TERMINATED WITHOUT PENALTY BY WRITTEN NOTICE DELIVERED TO THE SERVICE
17 PROVIDER BY SUCH PERSON IN ACTIVE MILITARY SERVICE CANCELING HIS OR HER
18 CONTRACT WITHIN FOURTEEN DAYS OF HIS OR HER RECEIPT OF ORDERS TO REPORT
19 FOR MILITARY SERVICE. SUCH NOTICE SHALL INCLUDE A COPY OF THE ORDERS IN
20 QUESTION.
21   (B) DELIVERY OF SUCH NOTICE SHALL BE IN ACCORDANCE WITH INDUSTRY STAN-
22 DARDS FOR NOTIFICATION OF TERMINATIONS, TOGETHER WITH THE FUTURE DATE ON
23 WHICH THE SERVICE IS TO BE TERMINATED.
24   S 2. This act shall take effect immediately.

     EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets
                         [ ] is old law to be omitted.
                                                        LBD10473-02-5