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

1313--A

2015-2016 Regular Sessions

I N A S S E M B L Y

January 9, 2015

Introduced by M. of A. LAVINE -- read once and referred to the Committee on Judiciary -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the general obligations law, in relation to recovery by certain persons for intentional or negligent infliction of emotional distress

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 11-108 to read as follows:

S 11-108. RECOVERY BY CERTAIN PERSONS FOR INTENTIONAL OR NEGLIGENT INFLICTION OF EMOTIONAL DISTRESS. IN ADDITION TO ANY OTHER RIGHT OF ACTION OR RECOVERY OTHERWISE AVAILABLE UNDER LAW, AN IMMEDIATE FAMILY MEMBER WITHIN THE ZONE OF DANGER MAY RECOVER DAMAGES FOR INTENTIONAL OR NEGLIGENT INFLICTION OF EMOTIONAL DISTRESS. FOR THE PURPOSES OF THIS SECTION, "IMMEDIATE FAMILY MEMBER" SHALL MEAN A SPOUSE, PARENT, CHILD, SIBLING OR GRANDPARENT.

S 2. This act shall take effect immediately.

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

LBD02186-02-5