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## 2015-2016 Regular Sessions

## IN ASSEMBLY

May 26, 2015

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:

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

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

LBD10473-02-5