STATE OF NEW YORK

11308--A

IN ASSEMBLY

August 15, 2018

Introduced by COMMITTEE ON RULES -- (at request of M. of A. Simotas, Pellegrino, Ortiz, Dinowitz, Epstein, Stirpe, Mosley, Gottfried, Abinanti, D'Urso, Wallace, DenDekker, Errigo, Quart) -- 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 requiring the provisions of a waiver before the execution of a confidentiality agreement

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Subdivision a of section 5-701 of the general obligations law is amended by adding a new paragraph 4 to read as follows:

4. Is a confidentiality agreement which has been signed by a party to the contract without he or she first being provided with a waiver explaining the rights he or she would be giving up by signing such agreement. For such waiver to be binding, it shall be signed and attached as an addendum to the confidentiality agreement. Such confidentiality agreement shall be void if it prohibits, prevents or otherwise restricts a party from (i) lodging a complaint with the appropriate local, state, or federal agency; (ii) testifying, assisting, or participating in any manner with an investigation conducted by the appropriate local, state, or federal agency; or (iii) filing or disclosing any facts necessary to receive unemployment insurance, medicaid, or other public benefits such party is entitled to.

§ 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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