

STATE OF NEW YORK

3830--A

2017-2018 Regular Sessions

IN ASSEMBLY

January 30, 2017

Introduced by M. of A. L. ROSENTHAL -- read once and referred to the Committee on Housing -- recommitted to the Committee on Housing in accordance with Assembly Rule 3, sec. 2 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

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 tenants 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:

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

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7 adopted, repealed or amended on the affirmative vote of two-thirds of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

11 2. In the case of residential cooperative corporations, changes
12 including the adoption, amendment or repeal of the by-laws by the board
13 of directors shall be provided to the members, stockholders, and deleg-
14 ates of such corporation in writing, by physical or electronic means,
15 within ten days of such adoption.

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

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

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1 § 78. Notification to residents. Upon the adoption, amendment or
2 repeal of by-laws by the board of directors pursuant to subdivision two
3 of section sixteen of this chapter, where such change would have a
4 direct effect on the resident's occupancy or the rules of the building,
5 the board of directors shall post the adopted, amended, or repealed
6 by-laws conspicuously to ensure tenants will be aware of such adoption.

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

9 (g) In the case of residential not-for-profit corporations, changes
10 including the adoption, amendment or repeal of the by-laws by the board
11 of directors shall be provided to the members, stockholders, and deleg-
12 ates of such corporation in writing, by physical or electronic means,
13 within ten days of such adoption.

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

16 § 624. Notification to tenants. Upon the adoption, amendment or repeal
17 of the by-laws by the board of directors pursuant to paragraph (g) of
18 section 602 (By-laws), where such change would have a direct effect on
19 the resident's occupancy or the rules of the building, the board of
20 directors shall post the adopted, amended, or repealed by-laws conspicu-
21 ously to ensure tenants will be aware of such adoption.

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