STATE OF NEW YORK

5832--A

2017-2018 Regular Sessions

IN SENATE

May 2, 2017

Introduced by Sen. ORTT -- read twice and ordered printed, and when printed to be committed to the Committee on Judiciary -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the civil rights law, in relation to prohibiting the involuntary removal from a commercial passenger aircraft of any passenger having an assigned seat thereon, on the basis of overbooking by the operator of such aircraft

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

Section 1. The civil rights law is amended by adding a new section 79-o to read as follows:

§ 79-o. Action for involuntary removal from a commercial passenger aircraft; certain cases. 1. No passenger admitted to a commercial passenger aircraft, having paid the fare for transportation on such aircraft and having an assigned seat thereon, shall be involuntarily removed from such aircraft solely on the bases that the owner or operator of the aircraft overbooked the flight thereof or assigned the passenger's seat to another individual.

2. Any person involuntarily removed from a commercial passenger aircraft, in violation of subdivision one of this section, may commence and maintain a cause of action to recover treble damages, plus costs and attorney's fees.

§ 2. This act shall take effect immediately.

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

LBD11283-03-7