STATE OF NEW YORK

9081

IN SENATE

June 15, 2018

Introduced by Sen. PARKER -- read twice and ordered printed, and when printed to be committed to the Committee on Rules

AN ACT to amend the real property law, in relation to designating the county of Kings a cease and desist zone and establishing an affirmative defense to violations of nonsolicitation orders and cease and desist zones

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

Section 1. The real property law is amended by adding a new section 442-hh to read as follows:

§ 442-hh. Designating the county of Kings a cease and desist zone. Notwithstanding any other law, rule or regulation to the contrary, the county of Kings shall be included on the cease and desist list compiled by the secretary of state pursuant to section four hundred forty-two-h of this article.

§ 2. Section 442-h of the real property law is amended by adding a new subdivision 4 to read as follows:

4. In any action alleging a violation of this section, it shall be an affirmative defense that the owner of residential real property included in a nonsolicitation order or cease and desist zone publicized that such property was for sale through means including but not limited to advertisements or real estate listings.

§ 3. This act shall take effect on the thirtieth day after it shall have become a law and shall apply to all nonsolicitation orders issued on and after such effective date.

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

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