

# STATE OF NEW YORK

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7641

2017-2018 Regular Sessions

## IN ASSEMBLY

May 5, 2017

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Introduced by M. of A. ENGLEBRIGHT -- read once and referred to the  
Committee on Governmental Operations

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 Assem-  
bly, do enact as follows:

- 1 Section 1. The civil rights law is amended by adding a new section  
2 79-o to read as follows:  
3 § 79-o. Action for involuntary removal from a commercial passenger  
4 aircraft; certain cases. 1. No passenger admitted to a commercial  
5 passenger aircraft, having paid the fare for transportation on such  
6 aircraft and having an assigned seat thereon, shall be involuntarily  
7 removed from such aircraft solely on the bases that the owner or opera-  
8 tor of the aircraft overbooked the flight thereof or assigned the  
9 passenger's seat to another individual.  
10 2. Any person involuntarily removed from a commercial passenger  
11 aircraft, in violation of subdivision one of this section, may commence  
12 and maintain a cause of action to recover treble damages, plus costs and  
13 attorney's fees.  
14 § 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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