

# STATE OF NEW YORK

9085

## 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 certain zip codes as cease and desist zones 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:

1 Section 1. The real property law is amended by adding a new section  
2 442-hh to read as follows:

3 § 442-hh. Designating certain zip codes as cease and desist zones.  
4 Notwithstanding any other law, rule or regulation to the contrary, the  
5 following zip codes shall be included on the cease and desist list  
6 compiled by the secretary of state pursuant to section four hundred  
7 forty-two-h of this article: 11203, 11210, 11212, 11215, 11217, 11218,  
8 11219, 11225, 11226, 11230, 11232, 11234, 11236 and 11238.

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

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

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

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

LBD16325-01-8