

# STATE OF NEW YORK

---

3158

2019-2020 Regular Sessions

## IN ASSEMBLY

January 28, 2019

---

Introduced by M. of A. ENGLEBRIGHT, MOSLEY, GOTTFRIED, ABINANTI, WEPRIN  
-- Multi-Sponsored by -- M. of A. COOK, GLICK, RIVERA -- read once and  
referred to the Committee on Judiciary

AN ACT to amend the real property law, in relation to leases of real  
property for the purposes of hydraulic fracturing

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

1 Section 1. The real property law is amended by adding a new section  
2 222-a to read as follows:

3 § 222-a. Property leased for hydraulic fracturing. 1. For the  
4 purposes of this section, "hydraulic fracturing" means the use of chemi-  
5 cals, water and other substances injected or pumped into a natural gas  
6 well to stimulate the extraction of natural gas.

7 2. No lease of real property shall provide for or require the non-dis-  
8 closure of any term or condition thereof, when any portion of such real  
9 property is to be used for hydraulic fracturing. Every lease of real  
10 property used for such purposes shall include all terms and conditions  
11 of the use of the real property. Any lease provision which violates the  
12 provisions of this subdivision shall be void as contrary to public poli-  
13 cy. Any lease provision that is void shall not affect in any way any  
14 other lease provision; all other terms of the lease shall remain in full  
15 force and effect.

16 § 2. This act shall take effect immediately.

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

LBD05059-01-9