STATE OF NEW YORK

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869

2019-2020 Regular Sessions

IN ASSEMBLY

January 11, 2019
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Introduced by M. of A. SIMOTAS, ORTIZ, DINOWITZ, EPSTEIN, STIRPE, MOSLEY, GOTTFRIED, ABINANTI, D'URSO, WALLACE, QUART, PAULIN, SEAWRIGHT, LENTOL, M. G. MILLER, RA, CRUZ, THIELE, SIMON, ZEBROWSKI, CYMBROWITZ, STERN, GLICK, FERNANDEZ, MAGNARELLI -- Multi-Sponsored by -- M. of A. DenDEKKER -- read once and referred to the Committee on Judiciary

AN ACT to amend the general obligations law, in relation to requiring the provisions of a waiver before the execution of a confidentiality agreement

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

1   Section 1. Subdivision a of section 5-701 of the general obligations
2 law is amended by adding a new paragraph 4 to read as follows:
3   **4. Is a confidentiality agreement which has been signed by a party to**
4 **the contract without he or she first being provided with a waiver**
5 **explaining the rights he or she would be giving up by signing such**
6 **agreement. For such waiver to be binding, it shall be signed and**
7 **attached as an addendum to the confidentiality agreement. Such confi-**
8 **dentiality agreement shall be void if it prohibits, prevents or other-**
9 **wise restricts a party from (i) lodging a complaint with the appropriate**
10 **local, state, or federal agency; (ii) testifying, assisting, or partic-**
11 **ipating in any manner with an investigation conducted by the appropriate**
12 **local, state, or federal agency; or (iii) filing or disclosing any facts**
13 **necessary to receive unemployment insurance, medicaid, or other public**
14 **benefits such party is entitled to.**
15   § 2. This act shall take effect immediately.

     EXPLANATION--Matter in **_italics_** (underscored) is new; matter in brackets
                    [-] is old law to be omitted.
                                                            LBD01542-01-9