

# STATE OF NEW YORK

4019--A

Cal. No. 689

2019-2020 Regular Sessions

## IN SENATE

February 25, 2019

Introduced by Sen. THOMAS -- read twice and ordered printed, and when printed to be committed to the Committee on Consumer Protection -- reported favorably from said committee, ordered to first and second report, ordered to a third reading, passed by Senate and delivered to the Assembly, recalled, vote reconsidered, restored to third reading, amended and ordered reprinted, retaining its place in the order of third reading

AN ACT to amend the general business law and the personal property law, in relation to early termination of motor vehicle lease contracts

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

1 Section 1. Subdivision 1 of section 399-zzzz of the general business  
2 law, as added by chapter 331 of the laws of 2016, is amended to read as  
3 follows:

4 1. Subject to federal law and regulation~~[-]~~:

5 a. no provider of telephone, cellular telephone, television, internet,  
6 energy, or water services shall impose a fee for termination or early  
7 cancellation of a service contract in the event the customer has  
8 deceased before the end of such contract; and

9 b. a retail lessee, as defined in section three hundred thirty-one of  
10 the personal property law, shall not be liable for charges for the early  
11 termination of a retail lease agreement of a motor vehicle if he or she  
12 has deceased before the end of such lease.

13 § 2. Paragraphs (i), (j) and (k) of subdivision 5 of section 337 of  
14 the personal property law are relettered paragraphs (j), (k) and (l) and  
15 a new paragraph (i) is added to read as follows:

16 (i) A statement in at least eight-point bold type stating that the  
17 lessee shall not be liable for an early termination fee if he or she has  
18 deceased before the end of the lease;

19 § 3. Section 341 of the personal property law is amended by adding a  
20 new subdivision 4 to read as follows:

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

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1 4. There shall be no early termination liability to the lessee if he  
2 or she has deceased before the end of such lease.

3 § 4. This act shall take effect on the ninetieth day after it shall  
4 have become a law and shall apply to all leases entered into, renewed,  
5 modified or amended on or after such effective date.