STATE OF NEW YORK

4117

2019-2020 Regular Sessions

IN SENATE

February 28, 2019

Introduced by Sen. KAPLAN -- read twice and ordered printed, and when printed to be committed to the Committee on Housing, Construction and Community Development

AN ACT to amend the real property actions and proceedings law, in relation to prohibiting the eviction of tenants for using medical marihuana for a certified medical use

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

Section 1. The real property actions and proceedings law is amended by adding a new section 716 to read as follows:

§ 716. Certified use of medical marihuana; no grounds. 1. For purposes of this section, the terms "medical marihuana" and "certified medical use" shall have the same meaning set forth in section thirty-three hundred sixty of the public health law.

2. No person, corporation, limited liability company, partnership or any other business entity shall commence proceedings pursuant to this article on the grounds that a tenant uses medical marihuana for a certified medical use, provided that such tenant is a patient certified to use medical marihuana pursuant to title five-A of article thirty-three of the public health law.

§ 2. This act shall take effect immediately.

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

LBD10158-01-9