

STATE OF NEW YORK

429--A

2019-2020 Regular Sessions

IN SENATE

(Prefiled)

January 9, 2019

Introduced by Sens. HOYLMAN, BIAGGI -- read twice and ordered printed, and when printed to be committed to the Committee on Judiciary -- recommitted to the Committee on Judiciary in accordance with Senate Rule 6, sec. 8 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the civil practice law and rules, in relation to claims relating to consumer goods

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

1 Section 1. Section 501 of the civil practice law and rules, as amended
2 by chapter 532 of the laws of 1963, is amended to read as follows:

3 § 501. Contractual provisions fixing venue. Subject to the provisions
4 of subdivision two of section ~~[510]~~ five hundred ten and section five
5 hundred fourteen of this article, written agreement fixing place of
6 trial, made before an action is commenced, shall be enforced upon a
7 motion for change of place of trial.

8 § 2. The civil practice law and rules is amended by adding a new
9 section 514 to read as follows:

10 § 514. Actions relating to consumer goods. 1. For the purposes of this
11 section, "consumer goods" shall mean goods, wares, paid merchandise or
12 services purchased or paid for by a consumer, the intended use or bene-
13 fit of which is intended for the personal, family or household purposes
14 of such consumer.

15 2. In any contract involving the sale, lease or otherwise providing of
16 consumer goods, any portion of the contract or any clause which purports
17 to designate, restrict, or limit the venue in which a claim shall be
18 adjudicated or arbitrated shall be deemed void as against public policy.
19 Nothing in this section shall be deemed to affect the validity of any
20 other aspect of a contract.

21 § 3. This act shall take effect on the thirtieth day after it shall
22 have become a law, and shall apply to all actions and arbitration
23 proceedings which have not been commenced prior to such effective date.

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

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