STATE OF NEW YORK

8109

IN SENATE

March 23, 2020

Introduced by Sen. SANDERS -- read twice and ordered printed, and when printed to be committed to the Committee on Banks

AN ACT to suspend mortgages and loans from state charted banks and unions for small businesses and restaurants that have closed or reduced services due to the coronavirus

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

Section 1. Notwithstanding any other provision of law, rule or regulation to the contrary, any small business or restaurant required to close or reduce services in response to the outbreak of coronavirus disease 2019 (COVID-19), shall have all mortgages and loans from state-chartered banks and state-chartered credit unions suspended. Such suspension shall be lifted, and payments shall resume thirty days after the small business or restaurant has reopened or returned to normal services. Such small business or restaurant shall not be required to pay any mortgage or loan payment waived during such time period to a state-chartered bank or state-chartered credit union. For the purpose of this act, the determination of whether a small business or restaurant has reduced services shall be made by the department of state.

§ 2. For the purposes of this act, the following terms shall have the following meanings:

(a) "Small business or restaurant" shall mean a business or restaurant which is resident in this state, independently owned and operated, not dominant in its field and employs one hundred or less persons.

(b) "State-chartered bank" and "state-chartered credit union" shall mean any corporation organized under the laws of this state that is engaged in banking, other than a trust company, savings association, or a mutual savings bank.

§ 3. This act shall take effect immediately.

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

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