STATE OF NEW YORK

2078--A

2019-2020 Regular Sessions

IN ASSEMBLY

January 22, 2019

Introduced by M. of A. GUNTHER -- read once and referred to the Committee on Consumer Affairs and Protection -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

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:

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

1. Subject to federal law and regulation[~~,~~]**:**

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

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

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

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

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

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

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

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

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