STATE OF NEW YORK

2037

2019-2020 Regular Sessions

IN SENATE

January 18, 2019

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

AN ACT to amend the general obligations law, in relation to requiring the provisions of a waiver before the execution of a confidentiality agreement

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

Section 1. Subdivision a of section 5-701 of the general obligations law is amended by adding a new paragraph 4 to read as follows:

4. Is a confidentiality agreement which has been signed by a party to the contract without he or she first being provided with a waiver explaining the rights he or she would be giving up by signing such agreement. For such waiver to be binding, it shall be signed and attached as an addendum to the confidentiality agreement. Such confidentiality agreement shall be void if it prohibits, prevents or otherwise restricts a party from (i) lodging a complaint with the appropriate local, state, or federal agency; (ii) testifying, assisting, or participating in any manner with an investigation conducted by the appropriate local, state, or federal agency; or (iii) filing or disclosing any facts necessary to receive unemployment insurance, medicaid, or other public benefits such party is entitled to.

§ 2. 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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