STATE OF NEW YORK

5614

2019-2020 Regular Sessions

IN SENATE

May 9, 2019

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

AN ACT to amend the real property law, in relation to prohibiting leases from including a waiver of the right to a declaratory judgment action

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

Section 1. The real property law is amended by adding a new section 235-h to read as follows:

§ 235-h. Waiver of right to bring a declaratory judgment action. No commercial lease shall contain any provision waiving or prohibiting the right of any tenant to bring a declaratory judgment action with respect to any provision, term or condition of such commercial lease. The inclusion of any such waiver provision in a commercial lease shall be null and void as against public policy.

§ 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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