STATE OF NEW YORK

8288

IN SENATE

May 6, 2020

Introduced by Sen. PARKER -- read twice and ordered printed, and when printed to be committed to the Committee on Consumer Protection

AN ACT to amend the general business law, in relation to prohibiting the charging of certain membership fees or rent for coworking spaces or shared workspaces during a state disaster emergency

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

Section 1. The general business law is amended by adding a new section 399-vv to read as follows:

§ 399-vv. Prohibition of certain membership fee or rent charges. 1. During a state disaster emergency, declared pursuant to article two-B of the executive law, no person, partnership, corporation, association or other business entity shall charge a consumer any contracted membership fee or rent for any coworking space or shared workspace when, due to such state disaster emergency:

(a) the use of such coworking space or shared workplace:

(i) has ceased, partially or fully;

(ii) has been rendered impossible, illegal or impractical; or

(iii) the non-use of such coworking space or shared workspace, or the non-rendering or the non-use of a contracted service related thereto, has frustrated the purpose of the contract; or

(b) a consumer would experience and demonstrates financial hardship if he or she were to pay such membership fee or rent.

2. Every violation of this section shall be punishable by a civil penalty not to exceed one thousand dollars.

3. Nothing in this section shall be construed to restrict any right which any person may have under any other statute or the common law.

§ 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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