STATE OF NEW YORK

6573

2021-2022 Regular Sessions

IN ASSEMBLY

March 19, 2021

Introduced by M. of A. LAWLER -- read once and referred to the Committee on Judiciary

AN ACT to amend the general obligations law, in relation to creating a cause of action for injuries caused by a person compensated to protest or riot

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

Section 1. The general obligations law is amended by adding a new section 11-108 to read as follows:

§ 11-108. Compensation for injury caused by a person compensated to protest or riot. 1. Any person who shall be injured in person, property, means of support or otherwise, by the actions of a person who is compensated to protest or riot, whether resulting in his or her death or not, shall have a right of action to recover actual damages against any person or entity who compensated a person who causes injuries during a protest or riot.

2. In case of the death of either party, the action or right of action established by the provisions of this section shall survive to or against his or her executor or administrator, and the amount so recovered by either a husband, wife or child shall be his or her sole and separate property.

3. Such action may be brought in any court of competent jurisdiction.

4. In any case where parents shall be entitled to such damages, either of such parents may bring an action therefor; but that recovery by either one of such parties shall constitute a bar to suit brought by the other.

5. As used in this section:

(a) "protest" shall mean a pre-planned gathering of ten or more persons invited or organized by an organizer to convene for the purpose of a public exhibition; and

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

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(b) "riot" shall have the same meaning as in sections 240.05 and 204.06 of the penal law.

§ 2. This act shall take effect on the thirtieth day after it shall have become a law and shall apply to any cause of action which arises on or after such date.