STATE OF NEW YORK

4587

2021-2022 Regular Sessions

IN ASSEMBLY

February 4, 2021

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

AN ACT to amend the general obligations law, in relation to excluding certain seasonal use tenancies from the provisions regulating deposits and advances for residential dwelling units

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

Section 1. Subdivision 1 of section 7-108 of the general obligations law, as amended by section 25 of part M of chapter 36 of the laws of 2019, is amended and a new subdivision 4 is added to read as follows:

1. This section shall apply to all dwelling units in residential premises, unless such dwelling unit is specifically referred to in section 7-107 of this title **or is expressly excluded by the provisions of this section**.

4. The provisions of this section shall not apply to a dwelling unit in residential premises where the lease expressly provides that the occupancy of the tenant is for seasonal use of the dwelling unit. For the purposes of this subdivision, "tenant" shall mean a tenant or lawful occupant with a seasonal use lease where such tenant has a primary residence to which to return to. The address of the primary residence of the residential tenant shall be expressly provided in the seasonal use lease. For the purposes of this subdivision, a "seasonal use lease" may not exceed a term of one hundred twenty days.

§ 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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