STATE OF NEW YORK

4742

2021-2022 Regular Sessions

IN SENATE

February 10, 2021

Introduced by Sen. KAMINSKY -- read twice and ordered printed, and when printed to be committed to the Committee on Housing, Construction and Community Development

AN ACT to amend the public housing law, in relation to directing the commissioner of housing and community renewal to promulgate rules and regulations regarding the use of electronic records and signatures for certain residential leases

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

Section 1. The public housing law is amended by adding a new section 19-a to read as follows:

§ 19-a. Electronic lease regulations. 1. The commissioner, in consultation with the electronic facilitator as defined in section three hundred three of the state technology law, shall promulgate rules and regulations authorizing the use of electronic records or signatures on a voluntary basis by tenants for residential leases and lease renewals of units for which the owner is required to file annual registration statements, pursuant to either section twelve-a of the emergency tenant protection act of nineteen seventy-four or section 26-517 of the administrative code of the city of New York, in a manner that conforms with the requirements of article three of the state technology law.

2. Such rules and regulations shall include, but not be limited to, procedures to ensure that the tenant affirmatively consented to the use of electronic records and that the use of electronic records and signatures is voluntary pursuant to section three hundred nine of the state technology law.

3. The division shall also develop a form in the top six languages other than English spoken in the state according to the latest available data from the U.S. Bureau of Census that confirms a tenant's affirmative consent to the use of electronic records. Such form shall clearly state the requirement that the use of electronic records and signatures is

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

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voluntary and cannot be required by a landlord, cite the relevant parts of the electronic signatures and records act, and require that copies of this signed consent be provided to the tenant and the division. No electronic records shall be accepted for any unit by the division unless such consent form is on file with the division.

§ 2. This act shall take effect immediately.