STATE OF NEW YORK

10659

IN ASSEMBLY

July 22, 2024

Introduced by COMMITTEE ON RULES -- (at request of M. of A. Vanel) -- read once and referred to the Committee on Governmental Operations

AN ACT to amend the civil rights law, in relation to establishing a cause of action for publicity given to private life

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

Section 1. The civil rights law is amended by adding a new section 50-h to read as follows:

§ 50-h. Publicity given to private life. 1. A person shall have a cause of action against any person who gives publicity to a matter concerning the private life of such principal person where the matter publicized is of a kind that would be highly offensive to a reasonable person and is not of legitimate concern to the public.

2. In any action commenced pursuant to subdivision one of this section, the finder of fact, in its discretion, may award injunctive relief, punitive damages, compensatory damages and reasonable court costs and attorney's fees.

3. For purposes of this section, "publicity" shall mean that the matter is made public, by communicating it to the public at large, or to so many persons that the matter must be regarded as substantially certain to become one of public knowledge. The term "publicity" shall also mean that the matter is shared to a specific group of persons who have a special relationship to the individual whose matter was publicized.

§ 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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