

STATE OF NEW YORK

9396

IN SENATE

May 15, 2024

Introduced by Sen. KAVANAGH -- read twice and ordered printed, and when printed to be committed to the Committee on Codes

AN ACT to amend the penal law, in relation to preventing the harassment of a rent regulated tenant

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

1 Section 1. The first undesignated paragraph of section 241.05 of the
2 penal law, as amended by chapter 573 of the laws of 2019, is amended to
3 read as follows:
4 [~~the~~] There shall be a presumption that a course of conduct as
5 described in subdivision two of this section was intended to cause such
6 persons to vacate such dwelling units or to surrender or waive any
7 rights in relation to such occupancy. However, the good faith commence-
8 ment and pursuit of a lawful eviction action by an owner against a rent
9 regulated tenant in a court of competent jurisdiction shall not, by
10 itself, constitute a "systematic ongoing course of conduct" in violation
11 of paragraph (c) of subdivision two of this section.
12 § 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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