

# STATE OF NEW YORK

9457

## IN ASSEMBLY

January 6, 2026

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

AN ACT to amend the real property actions and proceedings law, in relation to certain conditions for a grant of permission for access to adjoining property to make improvements or repairs

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

1 Section 1. Paragraph (e) of subdivision 1 and paragraph (d) of subdivision 2  
2 vision 4 of section 881 of the real property actions and proceedings  
3 law, as added by a chapter of the laws of 2025 amending the real property  
4 actions and proceedings law relating to access to adjoining property  
5 to make improvements or repairs, as proposed in legislative bills  
6 numbers S. 3799-C and A. 357-B, are amended to read as follows:

7 (e) the term "state entity" shall refer to [~~the metropolitan transportation~~  
8 ~~authority~~] any department, division, agency, office, public  
9 authority, or public benefit corporation of the state of New York, or  
10 [~~its~~] any affiliate or subsidiary agencies of such department, division,  
11 agency, office, public authority, or public benefit corporation.

12 (d) [~~The licensee and/or any contractor, consultant or agent thereof~~  
13 ~~that accesses the adjoining property pursuant to the license shall~~  
14 ~~procure and maintain commercial general liability insurance for damage~~  
15 ~~to persons or property, naming the adjoining owner and/or its lessee(s),~~  
16 ~~as applicable and made known to the licensee, as additional insureds, in~~  
17 ~~such amounts as are commercially reasonable for the entry to the adjoining~~  
18 ~~property.] The licensee shall provide the adjoining owner and its~~  
19 lessee or lessees, as applicable and as made known to the licensee by  
20 the adjoining owner, with relevant documents confirming the licensee  
21 and/or any contractor, consultant or agent thereof that accesses the  
22 adjoining property pursuant to a license granted pursuant to this  
23 section maintains commercial general liability insurance, provided such  
24 documents are sufficient to enable the adjoining owner and/or its lessee  
25 or lessees, as applicable, to make a third-party claim under such insurance  
26 in the event that such licensee and/or any contractor, consultant

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

LBD00711-08-6

1 or agent thereof damages the adjoining property or any persons  
2 thereupon; and  
3 § 2. This act shall take effect on the same date and in the same  
4 manner as a chapter of the laws of 2025 amending the real property  
5 actions and proceedings law relating to access to adjoining property to  
6 make improvements or repairs, as proposed in legislative bills numbers  
7 S. 3799-C and A. 357-B, takes effect.