

STATE OF NEW YORK

8137

2025-2026 Regular Sessions

IN SENATE

May 15, 2025

Introduced by Sen. COMRIE -- read twice and ordered printed, and when printed to be committed to the Committee on Consumer Protection

AN ACT to amend the general business law, in relation to enacting the "civil justice protection act"

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

1 Section 1. Short title. This act shall be known and may be cited as
2 the "civil justice protection act (CJPA)".

3 § 2. The general business law is amended by adding a new section 393-
4 dd to read as follows:

5 § 393-dd. The civil justice protection act. 1. Definitions. For the
6 purposes of this section, the following terms shall have the following
7 meanings:

8 (a) "Person" shall mean a natural person residing in this state or
9 purchasing personal goods or services in this state.

10 (b) "Personal goods or services" shall mean any: (i) goods, wares, or
11 paid merchandise the intended use or benefit of which is for the
12 personal, family or household purpose of any person; and (ii) services
13 of whatever nature the intended use or benefit of which are for the
14 personal, family or household use or benefit of any person, including
15 but not limited to medical services, assisted living services, or nurs-
16 ing home services. This term shall not mean goods or services purchased
17 or sold for the use or benefit of a business or for the purpose of
18 engaging in business activity.

19 (c) "Covered dispute" shall mean a dispute arising out of a contract
20 or agreement between a person and the seller or provider of personal
21 goods or services, or otherwise arising out of the provision of such
22 services.

23 2. Prohibitions. (a) No written contract for the sale or purchase of
24 personal goods or services, entered into after the effective date of

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

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1 this section, to which a person is a party, shall contain a clause that
2 requires or that has the effect of requiring such person to:

3 (i) adjudicate a covered dispute that arises from an act occurring in
4 New York in a forum located in a state other than New York or in a
5 foreign country;

6 (ii) adjudicate a covered dispute that arises from an act occurring in
7 New York pursuant to the law of a state other than New York or pursuant
8 to the law of a foreign country;

9 (iii) release any person from liability in a potential covered
10 dispute;

11 (iv) waive or limit the right to a jury trial to adjudicate a covered
12 dispute;

13 (v) waive or limit the right of a person to participate in a class
14 action, collective action, or representative action to adjudicate a
15 covered dispute;

16 (vi) waive or limit the ability of a person to obtain discovery from a
17 party or witness as provided by the New York civil practice law and
18 rules in a civil action to adjudicate a covered dispute;

19 (vii) shorten or limit the statute of limitations applicable to a
20 covered dispute that is otherwise established by the laws of this state;
21 or

22 (viii) limit or restrict the availability of a person to obtain
23 damages or civil penalties in a civil action to adjudicate a covered
24 dispute, including but not limited to an action filed under section
25 three hundred forty-nine of this chapter.

26 (b) Any provision of a contract entered into in violation of this
27 section is null, void, and unenforceable.

28 (c) A business violating this section shall be liable for a civil
29 penalty of five hundred dollars for the first offense and one thousand
30 dollars for each offense thereafter.

31 (d) Whenever there shall be a violation of this section, an applica-
32 tion may be made by the attorney general in the name of the people of
33 the state of New York to a court or justice having jurisdiction to issue
34 an injunction, and upon notice to the defendant of not less than five
35 days, to enjoin and restrain the continuance of such violations; and if
36 it shall appear to the satisfaction of the court or justice, that the
37 defendant has, in fact, violated this section an injunction may be
38 issued by such court or justice enjoining and restraining any further
39 violation, without requiring proof that any person has, in fact, been
40 injured or damaged thereby.

41 (e) This section shall not apply to any post-dispute settlement agree-
42 ments.

43 3. Severability. If any provision of this section or the application
44 thereof to any person or circumstance is held invalid, such invalidity
45 shall not affect other provisions or applications of this section that
46 can be given effect without the invalid provision or application, and to
47 this end the provisions of this section are declared to be severable.

48 § 3. This act shall take effect immediately and shall only apply to
49 contracts entered into after the effective date of this act.