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:

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

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

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

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or agent thereof damages the adjoining property or any persons thereupon; and

§ 2. This act shall take effect on the same date and in the same manner as a chapter of the laws of 2025 amending the real property actions and proceedings law relating to access to adjoining property to make improvements or repairs, as proposed in legislative bills numbers S. 3799-C and A. 357-B, takes effect.