

6360--A

2009-2010 Regular Sessions

I N S E N A T E

December 28, 2009

Introduced by Sen. SCHNEIDERMAN -- read twice and ordered printed, and when printed to be committed to the Committee on Rules -- recommitted to the Committee on Codes in accordance with Senate Rule 6, sec. 8 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the civil practice law and rules, in relation to orders of attachment in certain cases

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

- 1 Section 1. The civil practice law and rules is amended by adding a new
2 section 6205 to read as follows:
3 S 6205. ORDER OF ATTACHMENT IN CERTAIN CASES. AN ORDER OF ATTACHMENT
4 MAY BE GRANTED IN AID OF EXECUTION TO A PARTY THAT HAS BEEN AWARDED A
5 MONEY JUDGMENT AGAINST A FOREIGN STATE, AS DEFINED IN 28 UNITED STATES
6 CODE SECTION 1603, IN ACCORDANCE WITH AND SUBJECT TO THE LIMITATIONS OF
7 28 UNITED STATES CODE SECTION 1610 AND OTHER APPLICABLE LAW.
8 S 2. Subdivision (a) of section 6211 of the civil practice law and
9 rules, as amended by chapter 860 of the laws of 1977, is amended to read
10 as follows:
11 (a) When granted; contents. An order of attachment may be granted
12 without notice, before or after service of summons and at any time prior
13 to judgment, OR AS PROVIDED IN SECTION SIXTY-TWO HUNDRED FIVE OF THIS
14 ARTICLE. It shall specify the amount to be secured by the order of
15 attachment including any interest, costs and sheriff's fees and
16 expenses, be indorsed with the name and address of the plaintiff's
17 attorney and shall be directed to the sheriff of any county or of the
18 city of New York where any property in which the defendant has an inter-
19 est is located or where a garnishee may be served. The order shall
20 direct the sheriff to levy within his jurisdiction, at any time before
21 final judgment, upon such property in which the defendant has an inter-
22 est and upon such debts owing to the defendant as will satisfy the
23 amount specified in the order of attachment.
24 S 3. 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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