

7641--B

I N S E N A T E

June 11, 2012

Introduced by Sen. MARTINS -- read twice and ordered printed, and when printed to be committed to the Committee on Rules -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the civil practice law and rules, the general municipal law, the environmental conservation law, the public authorities law, the education law, the mental hygiene law, the private housing finance law, the facilities development corporation act, the administrative code of the city of New York, and chapter 154 of the laws of 1921 relating to the port authority of New York and New Jersey, in relation to establishing a uniform process and requirement for the filing of notices of claim prior to the commencement of a cause of action against any state or municipal entity, public authority or public benefit corporation

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 "uniform notice of claim act".
3 S 2. The civil practice law and rules is amended by adding a new
4 section 217-a to read as follows:
5 S 217-A. ACTIONS TO BE COMMENCED WITHIN ONE YEAR AND NINETY DAYS.
6 NOTWITHSTANDING ANY OTHER PROVISION OF LAW TO THE CONTRARY, AND IRRE-
7 SPECTIVE OF WHETHER THE RELEVANT STATUTE IS EXPRESSLY AMENDED BY
8 SECTIONS THREE THROUGH SEVENTY-NINE OF THE UNIFORM NOTICE OF CLAIM ACT,
9 EVERY ACTION FOR DAMAGES OR INJURIES TO REAL OR PERSONAL PROPERTY, OR
10 FOR THE DESTRUCTION THEREOF, OR FOR PERSONAL INJURIES OR WRONGFUL DEATH,
11 AGAINST ANY POLITICAL SUBDIVISION OF THE STATE, OR ANY INSTRUMENTALITY
12 OR AGENCY OF THE STATE OR A POLITICAL SUBDIVISION, ANY PUBLIC AUTHORITY
13 OR ANY PUBLIC BENEFIT CORPORATION THAT IS ENTITLED TO RECEIVE A NOTICE
14 OF CLAIM AS A CONDITION PRECEDENT TO COMMENCEMENT OF AN ACTION, SHALL
15 NOT BE COMMENCED UNLESS A NOTICE OF CLAIM SHALL HAVE BEEN SERVED ON SUCH
16 GOVERNMENTAL ENTITY WITHIN THE TIME LIMIT ESTABLISHED BY, AND IN COMPLI-
17 ANCE WITH ALL THE REQUIREMENTS OF SECTION FIFTY-E OF THE GENERAL MUNICI-

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

LBD16120-07-2

PAL LAW. EXCEPT IN AN ACTION FOR WRONGFUL DEATH AGAINST SUCH AN ENTITY, AN ACTION FOR DAMAGES OR FOR INJURIES TO REAL OR PERSONAL PROPERTY, OR FOR THE DESTRUCTION THEREOF, OR FOR PERSONAL INJURIES, ALLEGED TO HAVE BEEN SUSTAINED, SHALL NOT BE COMMENCED MORE THAN ONE YEAR AND NINETY DAYS AFTER THE CAUSE OF ACTION THEREFOR SHALL HAVE ACCRUED OR WITHIN THE TIME PERIOD OTHERWISE PRESCRIBED BY ANY SPECIAL PROVISION OF LAW, WHICH- EVER IS LONGER. NOTHING HEREIN IS INTENDED TO AMEND THE COURT OF CLAIMS ACT OR ANY PROVISION THEREOF.

S 3. Paragraph 12 of subdivision (a) of section 8301 of the civil practice law and rules is renumbered paragraph 13 and a new paragraph 12 is added to read as follows:

12. ANY FEE IMPOSED BY SECTION FIFTY-THREE OF THE GENERAL MUNICIPAL LAW; AND

S 4. Subdivision 3 of section 50-e of the general municipal law is amended by adding a new paragraph (f) to read as follows:

(F) SERVICE OF A NOTICE OF CLAIM ON THE SECRETARY OF STATE AS AGENT OF ANY PUBLIC CORPORATION WHATSOEVER CREATED OR EXISTING BY VIRTUE OF THE LAWS OF THE STATE OF NEW YORK UPON WHOM SERVICE OF A NOTICE OF CLAIM IS REQUIRED AS A CONDITION PRECEDENT TO BEING SUED, MAY BE MADE BY PERSONALLY DELIVERING TO AND LEAVING WITH THE SECRETARY OF STATE OR A DEPUTY, OR WITH ANY PERSON AUTHORIZED BY THE SECRETARY OF STATE TO RECEIVE SUCH SERVICE, AT ANY OFFICE OF THE DEPARTMENT OF STATE IN THE CITY OF ALBANY OR AT ONE OF HIS OR HER REGULARLY ESTABLISHED OFFICES, DUPLICATE COPIES OF SUCH NOTICE OF CLAIM TOGETHER WITH THE STATUTORY FEE, WHICH FEE SHALL BE A TAXABLE DISBURSEMENT. SERVICE ON SUCH PUBLIC CORPORATION SHALL BE COMPLETE WHEN THE SECRETARY OF STATE IS SO SERVED. THE SECRETARY OF STATE SHALL PROMPTLY SEND ONE OF SUCH COPIES BY CERTIFIED MAIL, RETURN RECEIPT REQUESTED, TO SUCH PUBLIC CORPORATION, AT THE POST OFFICE ADDRESS, ON FILE IN THE DEPARTMENT OF STATE, SPECIFIED FOR THE PURPOSE.

S 5. Subdivision 5 of section 50-e of the general municipal law, as amended by chapter 12 of the laws of 2010, is amended to read as follows:

5. Application for leave to serve a late notice.

Upon application, the court, in its discretion, may extend the time to serve a notice of claim specified in paragraph (a) of subdivision one of this section, WHETHER SUCH SERVICE WAS MADE UPON A PUBLIC CORPORATION OR THE SECRETARY OF STATE. The extension shall not exceed the time limited for the commencement of an action by the claimant against the public corporation. In determining whether to grant the extension, the court shall consider, in particular, whether the public corporation or its attorney or its insurance carrier acquired actual knowledge of the essential facts constituting the claim within the time specified in subdivision one of this section or within a reasonable time thereafter. The court shall also consider all other relevant facts and circumstances, including: whether the claimant was an infant, or mentally or physically incapacitated, or died before the time limited for service of the notice of claim; whether the claimant failed to serve a timely notice of claim by reason of his justifiable reliance upon settlement representations made by an authorized representative of the public corporation or its insurance carrier; whether the claimant in serving a notice of claim made an excusable error concerning the identity of the public corporation against which the claim should be asserted; if service of the notice of claim is attempted by electronic means pursuant to paragraph (e) of subdivision three of this section, whether the delay in serving the notice of claim was based upon the failure of the comput-

1 er system of the city or the claimant or the attorney representing the
2 claimant; that such claimant or attorney, as the case may be, submitted
3 evidence or proof as is reasonable showing that (i) the submission of
4 the claim was attempted to be electronically made in a timely manner and
5 would have been completed but for the failure of the computer system
6 utilized by the sender or recipient, and (ii) that upon becoming aware
7 of both the failure of such system and the failure of the city to
8 receive such submission, the claimant or attorney had insufficient time
9 to make such claim within the permitted time period in a manner as
10 otherwise prescribed by law; and whether the delay in serving the notice
11 of claim substantially prejudiced the public corporation in maintaining
12 its defense on the merits.

13 An application for leave to serve a late notice shall not be denied on
14 the ground that it was made after commencement of an action against the
15 public corporation.

16 S 6. The general municipal law is amended by adding a new section 53
17 to read as follows:

18 S 53. ALTERNATIVE SERVICE OF NOTICE OF CLAIM UPON THE SECRETARY OF
19 STATE. 1. IN LIEU OF SERVING A NOTICE OF CLAIM UPON A PUBLIC CORPORATION
20 AS PROVIDED FOR IN SECTION FIFTY-E OF THIS ARTICLE, A NOTICE OF CLAIM
21 SETTING FORTH THE SAME INFORMATION AS REQUIRED BY SUCH SECTION MAY BE
22 SERVED UPON THE SECRETARY OF STATE IN THE SAME MANNER AS IF SERVED WITH
23 THE PUBLIC CORPORATION. ALL THE REQUIREMENTS RELATING TO THE FORM,
24 CONTENT, TIME LIMITATIONS, EXCEPTIONS, EXTENSIONS AND ANY OTHER PROCE-
25 DURAL REQUIREMENTS IMPOSED IN SUCH SECTION WITH RESPECT TO A NOTICE OF
26 CLAIM SERVED UPON A PUBLIC CORPORATION SHALL CORRESPONDINGLY APPLY TO A
27 NOTICE OF CLAIM SERVED UPON THE SECRETARY OF STATE AS PERMITTED BY THIS
28 SECTION. FOR PURPOSES OF THIS ARTICLE, THE SECRETARY OF STATE SHALL BE
29 DEEMED TO BE THE AGENT FOR ALL PUBLIC CORPORATIONS UPON WHOM A NOTICE OF
30 CLAIM MAY BE SERVED PRIOR TO COMMENCEMENT OF ANY ACTION OR PROCEEDING
31 SUBJECT TO THE REQUIREMENTS OF THIS ARTICLE.

32 2. THE SECRETARY OF STATE SHALL DESIGNATE AN OFFICE WITHIN THE DEPART-
33 MENT OF STATE WHEREAT PERSONS ARE ENTITLED BY LAW TO TIMELY SERVE A
34 NOTICE OF CLAIM UPON THE SECRETARY OF STATE AS THE AGENT FOR A PUBLIC
35 CORPORATION AS A CONDITION PRECEDENT TO COMMENCEMENT OF AN ACTION OR
36 PROCEEDING. ALL PUBLIC CORPORATIONS ENTITLED TO HAVE SERVED UPON THEM A
37 NOTICE OF CLAIM AS A CONDITION PRECEDENT TO COMMENCEMENT OF AN ACTION OR
38 PROCEEDING SHALL, NO LATER THAN THIRTY DAYS AFTER THE DATE UPON WHICH
39 THIS SECTION SHALL TAKE EFFECT, FILE A CERTIFICATE WITH THE SECRETARY OF
40 STATE DESIGNATING THE SECRETARY AS THE AGENT FOR SERVICE OF A NOTICE OF
41 CLAIM AND SHALL IN SUCH STATEMENT PROVIDE THE SECRETARY WITH THE NAME
42 AND ADDRESS OF AN OFFICER, PERSON, OR DESIGNEE, NOMINEE OR OTHER AGENT-
43 IN-FACT FOR THE TRANSMITTAL OF NOTICES OF CLAIM SERVED UPON THE SECRE-
44 TARY AS THE PUBLIC CORPORATION'S AGENT. ANY DESIGNATED POST-OFFICE
45 ADDRESS TO WHICH THE SECRETARY OF STATE SHALL MAIL A COPY OF THE NOTICE
46 OF CLAIM SERVED UPON HIM OR HER AS AGENT SHALL CONTINUE TO BE THE
47 ADDRESS TO WHICH SUCH NOTICES SHALL BE MAILED UNTIL THE PUBLIC CORPO-
48 RATION SENDS A NOTICE TO THE SECRETARY INFORMING HIM OR HER OF A NEW
49 ADDRESS TO WHICH SUCH NOTICES SHALL BE MAILED. THE INITIAL FILING WITH
50 THE SECRETARY OF STATE SHALL ALSO CONTAIN THE APPLICABLE TIME LIMIT FOR
51 FILING A NOTICE OF CLAIM UPON THAT PUBLIC CORPORATION, OR IF LATER
52 CHANGED BY STATUTE, A NEW FILING SHALL BE MADE DETAILING THE ALTERED
53 TIME LIMIT. ANY PUBLIC CORPORATION WHO DOES NOT HAVE A CURRENT AND TIME-
54 LY STATUTORY DESIGNATION FILED WITH THE SECRETARY OF STATE SHALL NOT BE
55 ENTITLED TO THE PORTION OF THE FEE TO WHICH IT WOULD OTHERWISE BE ENTI-
56 TLED PURSUANT TO SUBDIVISION FOUR OF THIS SECTION. FAILURE OF THE

1 PUBLIC CORPORATION TO SO FILE WITH THE SECRETARY OF STATE WILL NOT
2 INVALIDATE ANY SERVICE OF A NOTICE OF CLAIM UPON THE PUBLIC CORPORATION
3 WHICH HAS BEEN RECEIVED BY THE SECRETARY OF STATE.

4 3. THE SECRETARY OF STATE IS HEREBY EMPOWERED TO ACCEPT PROPERLY TRAN-
5 SMITTED NOTICES OF CLAIMS ON BEHALF OF A PUBLIC CORPORATION, WITH THE
6 SAME EFFECT AS IF SERVED DIRECTLY UPON A PUBLIC CORPORATION. THE SECRE-
7 TARY OF STATE SHALL ACCEPT SUCH SERVICE UPON THE FOLLOWING TERMS AND
8 CONDITIONS:

9 (A) THE SECRETARY OF STATE SHALL SET AND NOTIFY THE PUBLIC, ON HIS OR
10 HER WEBSITE, AS TO REASONABLE TIMES, PLACES AND MANNER OF SERVICE UPON
11 HIM OR HER OF NOTICES OF CLAIMS;

12 (B) UPON RECEIPT OF A NOTICE OF CLAIM, THE SECRETARY OF STATE SHALL
13 ISSUE A RECEIPT OR OTHER DOCUMENT ACKNOWLEDGING HIS OR HER RECEIPT OF
14 SUCH NOTICE, AND SUCH RECEIPT SHALL CONTAIN THE DATE AND TIME OF RECEIPT
15 OF THE NOTICE, AN IDENTIFYING NUMBER OR NAME PARTICULAR TO THE NOTICE
16 RECEIVED, AND THE LOGO OR SEAL OF THE DEPARTMENT OF STATE EMBOSSED UPON
17 IT. SUCH RECEIPT SHALL BE PRIMA FACIE EVIDENCE OF SERVICE UPON THE
18 SECRETARY OF STATE FOR ALL PURPOSES;

19 (C) WITHIN TEN DAYS AFTER RECEIVING THE NOTICE OF CLAIM, THE SECRETARY
20 OF STATE SHALL TRANSMIT AN ORIGINAL OR A COPY OF THE NOTICE OF CLAIM TO
21 THE PUBLIC CORPORATION NAMED IN THE NOTICE;

22 (D) NOTHING IN THIS SECTION SHALL BE DEEMED TO ALTER, WAIVE OR OTHER-
23 WISE ABROGATE ANY DEFENSE AVAILABLE TO A PUBLIC CORPORATION AS TO THE
24 NATURE, SUFFICIENCY, OR APPROPRIATENESS OF THE NOTICE OF CLAIM ITSELF,
25 OR TO ANY CHALLENGES TO THE TIMELINESS OF THE SERVICE OF A NOTICE OF
26 CLAIM. TIMELY SERVICE UPON THE SECRETARY OF STATE SHALL BE DEEMED TIME-
27 LY SERVICE UPON THE PUBLIC CORPORATION FOR PURPOSES OF INSTITUTING AN
28 ACTION OR PROCEEDING OR OTHER REQUIREMENT IMPOSED BY LAW.

29 4. THE SECRETARY OF STATE MAY IMPOSE A FEE UPON ANY PERSON WHO SERVES
30 A NOTICE OF CLAIM WITH THE DEPARTMENT. SUCH FEE SHALL NOT EXCEED TWO
31 HUNDRED FIFTY DOLLARS FOR EACH SUCH NOTICE FILED. ONE-HALF OF THE FEE
32 IMPOSED SHALL BE RETAINED BY THE SECRETARY OF STATE AS PAYMENT FOR ITS
33 SERVICES PROVIDED IN ACCORDANCE WITH THIS SECTION. THE REMAINING
34 ONE-HALF OF SUCH FEE SHALL BE FORWARDED TO THE PUBLIC CORPORATION NAMED
35 IN THE NOTICE OF CLAIM PROVIDED, HOWEVER, IF MORE THAN ONE SUCH PUBLIC
36 CORPORATION IS NAMED, EACH NAMED PUBLIC CORPORATION SHALL BE ENTITLED TO
37 AN EQUAL PERCENTAGE OF THE ONE-HALF AMOUNT.

38 5. THE SECRETARY OF STATE SHALL WITHIN SIXTY DAYS AFTER THE EFFECTIVE
39 DATE OF THIS SECTION POST ON THE DEPARTMENTAL WEBSITE A LIST OF ANY
40 PUBLIC CORPORATION, INCLUDING ANY PUBLIC AUTHORITY, PUBLIC BENEFIT
41 CORPORATION OR ANY OTHER ENTITY ENTITLED TO RECEIVE A NOTICE OF CLAIM AS
42 A CONDITION PRECEDENT TO COMMENCEMENT OF AN ACTION OR PROCEEDING, AND
43 THAT HAS FILED, PURSUANT TO THIS SECTION, A CERTIFICATE WITH THE SECRE-
44 TARY OF STATE DESIGNATING THE SECRETARY AS THE AGENT FOR SERVICE OF A
45 NOTICE OF CLAIM. THE LIST SHOULD IDENTIFY THE ENTITY, THE ADDRESS OF THE
46 PUBLIC CORPORATION TO WHICH THE NOTICE OF CLAIM SHALL BE FORWARDED BY
47 THE SECRETARY OF STATE, AND ANY STATUTORY PROVISIONS UNIQUELY PERTAINING
48 TO SUCH PUBLIC CORPORATION AND THE COMMENCEMENT OF AN ACTION OR PROCEED-
49 ING AGAINST IT.

50 S 7. Subdivision 2 of section 880 of the general municipal law, as
51 added by chapter 1030 of the laws of 1969, is amended to read as
52 follows:

53 (2) In a case founded upon tort, a notice of claim shall be required
54 as a condition precedent to the commencement of an action or special
55 proceeding against the agency or an officer, appointee or employee ther-
56 eof, and the provisions of section fifty-e of [the general municipal

1 law] THIS CHAPTER shall govern the giving of such notice. No action
2 shall be commenced more than one year AND NINETY DAYS after the cause of
3 action therefor shall have accrued.

4 S 8. Paragraph (viii) of subdivision (b) of section 970-n of the
5 general municipal law, as added by chapter 916 of the laws of 1984 and
6 such section as renumbered by chapter 686 of the laws of 1986, is
7 amended to read as follows:

8 (viii) No action or proceeding shall be prosecuted or maintained
9 against an authority for personal injury or damage to real or personal
10 property alleged to have been sustained by reason of the negligence or
11 wrongful act of the authority or any member, officer, agent or employee
12 thereof, unless (1) notice of claim shall have been made and served upon
13 the authority OR THE SECRETARY OF STATE within the time limit ESTAB-
14 LISHED by and in compliance with section fifty-e of [the general municipi-
15 pal law] THIS CHAPTER, (2) it shall appear by and as an allegation in
16 the complaint or moving papers that at least thirty days have elapsed
17 since the service of such notice and that the adjustment or payment
18 thereof has been neglected or refused, and (3) the action or proceeding
19 shall be commenced within one year AND NINETY DAYS after the [happening
20 of the event upon which the claim is based] CAUSE OF ACTION SHALL HAVE
21 ACCRUED.

22 S 9. Paragraph (d) of subdivision 2 of article IV of section 21-1701
23 of the environmental conservation law is amended to read as follows:

24 (d) The foregoing consent is granted upon the condition that any suit,
25 action or proceeding prosecuted or maintained hereunder shall be
26 commenced within one year AND NINETY DAYS after the cause of action
27 therefor shall have accrued, and upon the further condition that in the
28 case of any suit, action or proceeding for the recovery or payment of
29 money, prosecuted or maintained hereunder, a notice of claim shall have
30 been served upon the Commission by or on behalf of the plaintiff or
31 plaintiffs [at least sixty days before such suit, action or proceeding
32 is commenced] WITHIN THE TIME LIMIT ESTABLISHED BY AND IN COMPLIANCE
33 WITH SECTION FIFTY-E OF THE GENERAL MUNICIPAL LAW. The provisions of
34 this subparagraph shall not apply to claims arising out of provisions of
35 any workmen's compensation law of any of the signatory States.

36 S 10. Subdivision 2 of section 540 of the public authorities law, as
37 added by chapter 804 of the laws of 1990, is amended to read as follows:

38 2. [An] EXCEPT IN AN ACTION FOR WRONGFUL DEATH, AN action against the
39 authority for damages for injuries to real or personal property, or for
40 the destruction thereof, or for personal injuries, alleged to have been
41 sustained, shall not be commenced more than one year and ninety days
42 after the cause of action therefor shall have accrued, nor unless a
43 notice of [intention to commence such action and of the time when and
44 place where the damages were incurred or sustained, together with a
45 verified statement showing in detail the property alleged to have been
46 damaged or destroyed and the value thereof, or the personal injuries
47 alleged to have been sustained and by whom,] CLAIM shall have been filed
48 [in the principal office of the authority within ninety days after such
49 cause of action shall have accrued] WITHIN THE TIME LIMIT ESTABLISHED BY
50 AND IN COMPLIANCE WITH SECTION FIFTY-E OF THE GENERAL MUNICIPAL LAW.

51 S 11. Subdivision 2 of section 569-a of the public authorities law, as
52 amended by chapter 804 of the laws of 1990, is amended to read as
53 follows:

54 2. Except in an action for wrongful death, an action against the
55 authority for damages for injuries to real or personal property, or for
56 the destruction thereof, or for personal injuries, alleged to have been

1 sustained, shall not be commenced more than one year AND NINETY DAYS
2 after the cause of action therefor shall have accrued, nor unless a
3 notice of [intention to commence such action and of the time when and
4 place where the damages or personal injuries were incurred or sustained,
5 together with a verified statement showing in detail the property
6 alleged to have been damaged or destroyed and the value thereof, or the
7 personal injuries alleged to have been sustained and by whom,] CLAIM
8 shall have been filed [with the secretary of the authority in the prin-
9 cipal office of the authority within six months after such cause of
10 action shall have accrued] WITHIN THE TIME LIMIT ESTABLISHED BY AND IN
11 COMPLIANCE WITH SECTION FIFTY-E OF THE GENERAL MUNICIPAL LAW. An action
12 against the authority for wrongful death shall be commenced in accord-
13 ance with the notice of claim and time limitation provisions of title
14 eleven of article nine of this chapter.

15 S 12. Subdivision 2 of section 666-b of the public authorities law, as
16 added by chapter 804 of the laws of 1990, is amended to read as follows:

17 2. An action against the authority for damages for injuries to real or
18 personal property, or for the destruction thereof, or for personal inju-
19 ries, alleged to have been sustained shall not be commenced more than
20 one year and ninety days after the cause of action therefor shall have
21 accrued, nor unless a notice of [intention to commence such action and
22 of the time when and place where the damages were incurred or sustained,
23 together with a verified statement showing in detail the property
24 alleged to have been damaged or destroyed and the value thereof, or the
25 personal injuries alleged to have been sustained and by whom, shall have
26 been filed in the principal office of the authority within ninety days
27 after such cause of action shall have accrued] CLAIM SHALL HAVE BEEN
28 SERVED ON THE AUTHORITY WITHIN THE TIME LIMIT ESTABLISHED BY, AND IN
29 COMPLIANCE WITH ALL REQUIREMENTS OF SECTION FIFTY-E OF THE GENERAL
30 MUNICIPAL LAW.

31 S 13. Subdivision 2 of section 735 of the public authorities law, as
32 added by chapter 804 of the laws of 1990, is amended to read as follows:

33 2. An action against the authority for damages for injuries to real or
34 personal property, or for the destruction thereof, or for personal inju-
35 ries, alleged to have been sustained shall not be commenced more than
36 one year and ninety days after the cause of action therefor shall have
37 accrued, nor unless a notice of [intention to commence such action and
38 of the time when and place where the damages were incurred or sustained,
39 together with a verified statement showing in detail the property
40 alleged to have been damaged or destroyed and the value thereof, or the
41 personal injuries alleged to have been sustained and by whom, shall have
42 been filed in the principal office of the authority within ninety days
43 after such cause of action shall have accrued] CLAIM SHALL HAVE BEEN
44 SERVED WITHIN THE TIME LIMIT ESTABLISHED BY, AND IN COMPLIANCE WITH ALL
45 REQUIREMENTS OF SECTION FIFTY-E OF THE GENERAL MUNICIPAL LAW.

46 S 14. Subdivision 1 of section 889 of the public authorities law, as
47 amended by chapter 804 of the laws of 1990, is amended to read as
48 follows:

49 1. In any case founded upon a tort a notice of claim shall be required
50 as a condition precedent to the commencement of an action or special
51 proceeding against the authority and the provisions of section fifty-e
52 of the general municipal law shall apply. EXCEPT IN AN ACTION FOR
53 WRONGFUL DEATH, AN ACTION AGAINST THE AUTHORITY FOR DAMAGES FOR INJURIES
54 TO REAL OR PERSONAL PROPERTY, OR FOR THE DESTRUCTION THEREOF, OR FOR
55 PERSONAL INJURIES, ALLEGED TO HAVE BEEN SUSTAINED, SHALL NOT BE

1 COMMENCED MORE THAN ONE YEAR AND NINETY DAYS AFTER THE CAUSE OF ACTION
2 THEREFOR SHALL HAVE ACCRUED.

3 S 15. Subdivision 1 of section 1017 of the public authorities law, as
4 added by chapter 804 of the laws of 1990, is amended to read as follows:

5 1. In any action founded upon tort a notice of claim shall be required
6 as a condition precedent to the commencement of an action or special
7 proceeding against the authority or any officer, appointee, agent or
8 employee thereof, and the provisions of section fifty-e of the general
9 municipal law shall govern the giving of such notice. EXCEPT IN AN
10 ACTION FOR WRONGFUL DEATH, AN ACTION AGAINST THE AUTHORITY FOR DAMAGES
11 FOR INJURIES TO REAL OR PERSONAL PROPERTY, OR FOR THE DESTRUCTION THERE-
12 OF, OR FOR PERSONAL INJURIES, ALLEGED TO HAVE BEEN SUSTAINED, SHALL NOT
13 BE COMMENCED MORE THAN ONE YEAR AND NINETY DAYS AFTER THE CAUSE OF
14 ACTION THEREFOR SHALL HAVE ACCRUED.

15 S 16. Subdivision 1 of section 1020-u of the public authorities law,
16 as amended by chapter 804 of the laws of 1990, is amended to read as
17 follows:

18 1. In any action founded upon tort a notice of claim shall be required
19 as a condition precedent to the commencement of an action or special
20 proceeding against the authority or any officer, appointee, agent or
21 employee thereof, and the provisions of section fifty-e of the general
22 municipal law shall govern the giving of such notice. EXCEPT IN AN
23 ACTION FOR WRONGFUL DEATH, AN ACTION AGAINST THE AUTHORITY FOR DAMAGES
24 FOR INJURIES TO REAL OR PERSONAL PROPERTY, OR FOR THE DESTRUCTION THERE-
25 OF, OR FOR PERSONAL INJURIES, ALLEGED TO HAVE BEEN SUSTAINED, SHALL NOT
26 BE COMMENCED MORE THAN ONE YEAR AND NINETY DAYS AFTER THE CAUSE OF
27 ACTION THEREFOR SHALL HAVE ACCRUED.

28 S 17. Subdivision 3 of section 1021-m of the public authorities law,
29 as added by chapter 533 of the laws of 2010, is amended to read as
30 follows:

31 3. An action against the authority founded on tort shall be commenced
32 in compliance with all the requirements of section fifty-e of the gener-
33 al municipal law, except that an action against the authority for wrong-
34 ful death shall be commenced in accordance with the provisions of title
35 eleven of article nine of this chapter. EXCEPT IN AN ACTION FOR WRONGFUL
36 DEATH, AN ACTION AGAINST THE AUTHORITY FOR DAMAGES FOR INJURIES TO REAL
37 OR PERSONAL PROPERTY, OR FOR THE DESTRUCTION THEREOF, OR FOR PERSONAL
38 INJURIES, ALLEGED TO HAVE BEEN SUSTAINED, SHALL NOT BE COMMENCED MORE
39 THAN ONE YEAR AND NINETY DAYS AFTER THE CAUSE OF ACTION THEREFOR SHALL
40 HAVE ACCRUED.

41 S 18. Subdivision 1 of section 1048-v of the public authorities law,
42 as amended by chapter 804 of the laws of 1990, is amended to read as
43 follows:

44 1. Except in an action for wrongful death, no action or proceeding
45 shall be prosecuted or maintained against the authority or the water
46 board for personal injury or damage to real or personal property alleged
47 to have been sustained by reason of the negligence or wrongful act of
48 the authority or the board or of any member, officer, agent or employee
49 thereof, unless (i) a notice of claim shall have been made and served
50 upon the authority or the water board, as the case may be, within the
51 time limit by and in compliance with section fifty-e of the general
52 municipal law, (ii) it shall appear by and as an allegation in the
53 complaint or moving papers that at least thirty days have elapsed since
54 the service of such notice and that adjustment or payment thereof has
55 been neglected or refused, and (iii) the action or proceeding shall be
56 commenced within one year AND NINETY DAYS after the happening of the

1 event upon which the claim is based. An action against the authority or
2 water board for wrongful death shall be commenced in accordance with the
3 notice of claim and time limitation provisions of title eleven of arti-
4 cle nine of this chapter.

5 S 19. Subdivision 1 of section 1067 of the public authorities law, as
6 amended by chapter 804 of the laws of 1990, is amended to read as
7 follows:

8 1. In any case founded upon tort a notice of claim shall be required
9 as a condition precedent to the commencement of an action or special
10 proceeding against the authority or any officer, appointee, agent or
11 employee thereof, and the provisions of section fifty-e of the general
12 municipal law shall govern the giving of such notice. EXCEPT IN AN
13 ACTION FOR WRONGFUL DEATH, AN ACTION AGAINST THE AUTHORITY FOR DAMAGES
14 FOR INJURIES TO REAL OR PERSONAL PROPERTY, OR FOR THE DESTRUCTION THERE-
15 OF, OR FOR PERSONAL INJURIES, ALLEGED TO HAVE BEEN SUSTAINED, SHALL NOT
16 BE COMMENCED MORE THAN ONE YEAR AND NINETY DAYS AFTER THE CAUSE OF
17 ACTION THEREFOR SHALL HAVE ACCRUED.

18 S 20. Subdivision 1 of section 1089 of the public authorities law, as
19 amended by chapter 804 of the laws of 1990, is amended to read as
20 follows:

21 1. In any case founded upon tort a notice of claim shall be required
22 as a condition precedent to the commencement of an action or special
23 proceeding against the authority or any officer, appointee or employee
24 thereof, and the provisions of section fifty-e of the general municipal
25 law shall govern the giving of such notice. EXCEPT IN AN ACTION FOR
26 WRONGFUL DEATH, AN ACTION AGAINST THE AUTHORITY FOR DAMAGES FOR INJURIES
27 TO REAL OR PERSONAL PROPERTY, OR FOR THE DESTRUCTION THEREOF, OR FOR
28 PERSONAL INJURIES, ALLEGED TO HAVE BEEN SUSTAINED, SHALL NOT BE
29 COMMENCED MORE THAN ONE YEAR AND NINETY DAYS AFTER THE CAUSE OF ACTION
30 THEREFOR SHALL HAVE ACCRUED.

31 S 21. Subdivision 1 of section 1109 of the public authorities law, as
32 amended by chapter 804 of the laws of 1990, is amended to read as
33 follows:

34 1. In any case founded upon tort a notice of claim shall be required
35 as a condition precedent to the commencement of an action or special
36 proceeding against the authority or any officer, appointee or employee
37 thereof, and the provisions of section fifty-e of the general municipal
38 law shall govern the giving of such notice. EXCEPT IN AN ACTION FOR
39 WRONGFUL DEATH, AN ACTION AGAINST THE AUTHORITY FOR DAMAGES FOR INJURIES
40 TO REAL OR PERSONAL PROPERTY, OR FOR THE DESTRUCTION THEREOF, OR FOR
41 PERSONAL INJURIES, ALLEGED TO HAVE BEEN SUSTAINED, SHALL NOT BE
42 COMMENCED MORE THAN ONE YEAR AND NINETY DAYS AFTER THE CAUSE OF ACTION
43 THEREFOR SHALL HAVE ACCRUED.

44 S 22. Subdivision 1 of section 1115-u of the public authorities law,
45 as amended by chapter 804 of the laws of 1990, is amended to read as
46 follows:

47 1. Except in an action for wrongful death, no action or proceeding
48 shall be prosecuted or maintained against the authority or the water
49 board for personal injury or damage to real or personal property alleged
50 to have been sustained by reason of the negligence or wrongful act of
51 the authority or the water board or of any member, officer, agent or
52 employee thereof, unless (a) a notice of claim shall have been made and
53 served upon the authority or the water board, as the case may be, within
54 the time limit by and in compliance with section fifty-e of the general
55 municipal law, (b) it shall appear by and as an allegation in the
56 complaint or moving papers that at least thirty days have elapsed since

1 the service of such notice and that adjustment or payment thereof has
2 been neglected or refused, and (c) the action or proceeding shall be
3 commenced within one year AND NINETY DAYS after the happening of the
4 event upon which the claim is based. An action against the authority or
5 water board for wrongful death shall be commenced in accordance with the
6 notice of claim and time limitation provisions of title eleven of arti-
7 cle nine of this chapter.

8 S 23. Subdivision 1 of section 1169 of the public authorities law, as
9 amended by chapter 804 of the laws of 1990, is amended to read as
10 follows:

11 1. In any case founded upon tort a notice of claim shall be required
12 as a condition precedent to the commencement of an action or special
13 proceeding against the authority or any officer, appointee or employee
14 thereof, and the provisions of section fifty-e of the general municipal
15 law shall govern the giving of such notice. EXCEPT IN AN ACTION FOR
16 WRONGFUL DEATH, AN ACTION AGAINST THE AUTHORITY FOR DAMAGES FOR INJURIES
17 TO REAL OR PERSONAL PROPERTY, OR FOR THE DESTRUCTION THEREOF, OR FOR
18 PERSONAL INJURIES, ALLEGED TO HAVE BEEN SUSTAINED, SHALL NOT BE
19 COMMENCED MORE THAN ONE YEAR AND NINETY DAYS AFTER THE CAUSE OF ACTION
20 THEREFOR SHALL HAVE ACCRUED.

21 S 24. Subdivision 1 of section 1174-o of the public authorities law,
22 as added by chapter 491 of the laws of 1991, is amended to read as
23 follows:

24 1. No action or proceeding shall be prosecuted or maintained against
25 the authority for personal injury or damage to real or personal property
26 alleged to have been sustained by reason of the negligence or wrongful
27 act of the authority or any member, officer, agent or employee thereof,
28 unless:

29 (a) a notice of claim shall have been made and served upon the author-
30 ity within the time limit by and in compliance with section fifty-e of
31 the general municipal law,

32 (b) it shall appear by and as an allegation in the complaint or moving
33 papers that at least thirty days have elapsed since the service of such
34 notice and that adjustment or payment thereof has been neglected or
35 refused, and

36 (c) the action or proceeding shall be commenced within one year AND
37 NINETY DAYS after the [happening of the event upon which the claim is
38 based] CAUSE OF ACTION THEREFOR SHALL HAVE ACCRUED.

39 S 25. Subdivision 1 of section 1197-n of the public authorities law,
40 as amended by chapter 804 of the laws of 1990, is amended to read as
41 follows:

42 1. Except in an action for wrongful death, no action or proceeding
43 shall be prosecuted or maintained against the authority for personal
44 injury or damage to real or personal property alleged to have been
45 sustained by reason of the negligence or wrongful act of the authority
46 or any member, officer, agent or employee thereof, unless:

47 (a) a notice of claim shall have been made and served upon the author-
48 ity within the time limit by and in compliance with section fifty-e of
49 the general municipal law,

50 (b) it shall appear by and as an allegation in the complaint or moving
51 papers that at least thirty days have elapsed since the service of such
52 notice and that adjustment or payment thereof has been neglected or
53 refused,

54 (c) the action or proceeding shall be commenced within one year AND
55 NINETY DAYS after the happening of the event upon which the claim is
56 based, and

(d) An action against the authority for wrongful death shall be commenced in accordance with the notice of claim and time limitation provisions of title eleven of article nine of this chapter.

S 26. Subdivision 1 of section 1198-o of the public authorities law, as added by chapter 868 of the laws of 1990, is amended to read as follows:

1. No action or proceeding shall be prosecuted or maintained against the authority for personal injury or damage to real or personal property alleged to have been sustained by reason of the negligence or wrongful act of the authority or any member, officer, agent or employee thereof, unless:

(a) a notice of claim shall have been made and served upon the authority within the time limit by and in compliance with section fifty-e of the general municipal law,

(b) it shall appear by and as an allegation in the complaint or moving papers that at least thirty days have elapsed since the service of such notice and that adjustment or payment thereof has been neglected or refused, and

(c) the action or proceeding shall be commenced within one year AND NINETY DAYS after the happening of the event upon which the claim is based.

S 27. Subdivision 2 of section 1276 of the public authorities law, as amended by chapter 804 of the laws of 1990, is amended to read as follows:

2. An action against the authority founded on tort, except an action for wrongful death, shall not be commenced more than one year AND NINETY DAYS after the cause of action therefor shall have accrued, nor unless a notice of claim shall have been served on the authority within the time limited by and in compliance with all the requirements of section fifty-e of the general municipal law. An action against the authority for wrongful death shall be commenced in accordance with the notice of claim and time limitation provisions of title eleven of article nine of this chapter.

S 28. Subdivision 2 of section 1297 of the public authorities law, as amended by chapter 804 of the laws of 1990, is amended to read as follows:

2. An action against the corporation founded on tort, except an action for wrongful death, shall not be commenced more than one year AND NINETY DAYS after the cause of action therefor shall have accrued, nor unless a notice of claim shall have been served on the corporation within the time limited by and in compliance with all the requirements of section fifty-e of the general municipal law. An action against the corporation for wrongful death shall be commenced in accordance with the notice of claim and time limitation provisions of title eleven of article nine of this chapter.

S 29. Subdivision 2 of section 1299-p of the public authorities law, as amended by chapter 804 of the laws of 1990, is amended to read as follows:

2. An action against the authority founded on tort, except an action for wrongful death, shall not be commenced more than one year AND NINETY DAYS after the cause of action therefor shall have accrued, nor unless a notice of claim shall have been served on the authority within the time limited by and in compliance with all the requirements of section fifty-e of the general municipal law. An action against the authority for wrongful death shall be commenced in accordance with the notice of

1 claim and time limitation provisions of title eleven of article nine of
2 this chapter.

3 S 30. Subdivision 2 of section 1299-rr of the public authorities law,
4 as amended by chapter 804 of the laws of 1990, is amended to read as
5 follows:

6 2. An action against the authority founded on tort, except an action
7 for wrongful death, shall not be commenced more than one year AND NINETY
8 DAYS after the cause of action therefor shall have accrued, nor unless a
9 notice of claim shall have been served on the authority within the time
10 limited by and in compliance with all the requirements of section
11 fifty-e of the general municipal law. An action against the authority
12 for wrongful death shall be commenced in accordance with the notice of
13 claim and time limitation provisions of title eleven of article nine of
14 this chapter.

15 S 31. Subdivision 2 of section 1317 of the public authorities law, as
16 amended by chapter 804 of the laws of 1990, is amended to read as
17 follows:

18 2. An action against the authority founded on tort, except an action
19 for wrongful death, shall not be commenced more than one year AND NINETY
20 DAYS after the cause of action therefor shall have accrued, nor unless a
21 notice of claim shall have been served on the authority within the time
22 limited by and in compliance with all the requirements of section
23 fifty-e of the general municipal law. An action against the authority
24 for wrongful death shall be commenced in accordance with the notice of
25 claim and time limitation provisions of title eleven of article nine of
26 this chapter.

27 S 32. Subdivision 2 of section 1342 of the public authorities law, as
28 amended by chapter 804 of the laws of 1990, is amended to read as
29 follows:

30 2. An action against the authority founded on tort, except an action
31 for wrongful death, shall not be commenced more than one year AND NINETY
32 DAYS after the cause of action therefor shall have accrued, nor unless a
33 notice of claim shall have been served on the authority within the time
34 limited by and in compliance with all the requirements of section
35 fifty-e of the general municipal law. An action against the authority
36 for wrongful death shall be commenced in accordance with the notice of
37 claim and time limitation provisions of title eleven of article nine of
38 this chapter.

39 S 33. Section 1372 of the public authorities law, as amended by chap-
40 ter 804 of the laws of 1990, is amended to read as follows:

41 S 1372. Actions against authority. In any case founded upon a tort,
42 except an action for wrongful death, a notice of claim shall be required
43 as a condition precedent to the commencement of an action or special
44 proceeding against the authority and the provisions of section fifty-e
45 of the general municipal law shall apply. An action against the authori-
46 ty for wrongful death shall be commenced in accordance with the notice
47 of claim and time limitation provisions of title eleven of article nine
48 of this chapter. EXCEPT IN AN ACTION FOR WRONGFUL DEATH, AN ACTION
49 AGAINST THE AUTHORITY FOR DAMAGES FOR INJURIES TO REAL OR PERSONAL PROP-
50 erty, OR FOR THE DESTRUCTION THEREOF, OR FOR PERSONAL INJURIES, ALLEGED
51 TO HAVE BEEN SUSTAINED, SHALL NOT BE COMMENCED MORE THAN ONE YEAR AND
52 NINETY DAYS AFTER THE CAUSE OF ACTION THEREFOR SHALL HAVE ACCRUED.

53 S 34. Section 1397 of the public authorities law, as added by chapter
54 647 of the laws of 1958, is amended to read as follows:

55 S 1397. Actions against authority. In any case founded upon a tort a
56 notice of claim shall be required as a condition precedent to the

1 commencement of an action or special proceeding against the authority
2 and the provisions of section fifty-e of the general municipal law shall
3 apply. EXCEPT IN AN ACTION FOR WRONGFUL DEATH, AN ACTION AGAINST THE
4 AUTHORITY FOR DAMAGES FOR INJURIES TO REAL OR PERSONAL PROPERTY, OR FOR
5 THE DESTRUCTION THEREOF, OR FOR PERSONAL INJURIES, ALLEGED TO HAVE BEEN
6 SUSTAINED, SHALL NOT BE COMMENCED MORE THAN ONE YEAR AND NINETY DAYS
7 AFTER THE CAUSE OF ACTION THEREFOR SHALL HAVE ACCRUED.

8 S 35. Subdivision 2 of section 1416 of the public authorities law, as
9 amended by chapter 804 of the laws of 1990, is amended to read as
10 follows:

11 2. Except in an action for wrongful death, an action against the
12 authority for damages for injuries to real or personal property, or for
13 the destruction thereof, or for personal injuries, alleged to have been
14 sustained, shall not be commenced more than one year AND NINETY DAYS
15 after the cause of action therefor shall have accrued, nor unless a
16 notice of [intention to commence such action and of the time when and
17 place where the damages or personal injuries were incurred or sustained,
18 together with a verified statement showing in detail the property
19 alleged to have been damaged or destroyed and the value thereof, or the
20 personal injuries alleged to have been sustained and by whom, shall have
21 been filed with the secretary of the authority in the principal office
22 of the authority within six months after such cause of action shall have
23 accrued] CLAIM SHALL HAVE BEEN SERVED ON THE AUTHORITY WITHIN THE TIME
24 LIMIT ESTABLISHED BY, AND IN COMPLIANCE WITH ALL REQUIREMENTS OF SECTION
25 FIFTY-E OF THE GENERAL MUNICIPAL LAW. An action against the authority
26 for wrongful death shall be commenced in accordance with the notice of
27 claim and time limitation provisions of title eleven of article nine of
28 this chapter.

29 S 36. Subdivision 2 of section 1420-r of the public authorities law,
30 as amended by chapter 804 of the laws of 1990, is amended to read as
31 follows:

32 2. Except in an action for wrongful death, an action against the
33 authority for damages for injuries to real or personal property, or for
34 the destruction thereof, or for personal injuries, alleged to have been
35 sustained, shall not be commenced more than one year AND NINETY DAYS
36 after the cause of action therefor shall have accrued, nor unless a
37 notice of [intention to commence such an action and of the time when and
38 place where the damages or personal injuries were incurred or sustained,
39 together with a verified statement showing in detail the property
40 alleged to have been damaged or destroyed and the value thereof, or the
41 personal injuries alleged to have been sustained and by whom, shall have
42 been filed with the secretary of the authority in the principal office
43 of the authority within six months after such cause of action shall have
44 accrued] CLAIM SHALL HAVE BEEN SERVED ON THE AUTHORITY WITHIN THE TIME
45 LIMIT ESTABLISHED BY, AND IN COMPLIANCE WITH ALL REQUIREMENTS OF SECTION
46 FIFTY-E OF THE GENERAL MUNICIPAL LAW. An action against the authority
47 for wrongful death shall be commenced in accordance with the notice of
48 claim and time limitation provisions of title eleven of article nine of
49 this chapter.

50 S 37. Subdivision 2 of section 1421-p of the public authorities law,
51 as amended by chapter 804 of the laws of 1990, is amended to read as
52 follows:

53 2. Except in an action for wrongful death, an action against the
54 authority for damages for injuries to real or personal property, or for
55 the destruction thereof, or for personal injuries, alleged to have been
56 sustained, shall not be commenced more than one year AND NINETY DAYS

1 after the cause of action therefor shall have accrued, nor unless a
2 notice of [intention to commence such action and of the time when and
3 place where the damages or personal injuries were incurred or sustained,
4 together with a verified statement showing in detail the property
5 alleged to have been damaged or destroyed and the value thereof, or the
6 personal injuries alleged to have been sustained and by whom, shall have
7 been filed with the secretary of the authority in the principal office
8 of the authority within six months after such cause of action shall have
9 accrued] CLAIM SHALL HAVE BEEN SERVED ON THE AUTHORITY WITHIN THE TIME
10 LIMIT ESTABLISHED BY, AND IN COMPLIANCE WITH ALL REQUIREMENTS OF SECTION
11 FIFTY-E OF THE GENERAL MUNICIPAL LAW. An action against the authority
12 for wrongful death shall be commenced in accordance with the notice of
13 claim and time limitation provisions of title eleven of article nine of
14 this chapter.

15 S 38. Subdivision 2 of section 1425-q of the public authorities law,
16 as added by chapter 617 of the laws of 1972, is amended to read as
17 follows:

18 2. An action against the authority for damages for injuries to real or
19 personal property, or for the destruction thereof, or for personal inju-
20 ries or death, alleged to have been sustained, shall not be commenced
21 more than one year AND NINETY DAYS after the cause of action therefor
22 shall have accrued, nor unless a notice of [intention to commence such
23 action and of the time when and place where the damages or personal
24 injuries or death were incurred or sustained, together with a verified
25 statement showing in detail the property alleged to have been damaged or
26 destroyed and the value thereof, or the personal injuries alleged to
27 have been sustained and by whom, shall have been filed with the secre-
28 tary of the authority in the principal office of the authority within
29 six months after such cause of action shall have accrued] CLAIM SHALL
30 HAVE BEEN SERVED ON THE AUTHORITY WITHIN THE TIME LIMIT ESTABLISHED BY,
31 AND IN COMPLIANCE WITH ALL REQUIREMENTS OF SECTION FIFTY-E OF THE GENER-
32 AL MUNICIPAL LAW.

33 S 39. Subdivision 2 of section 1440 of the public authorities law, as
34 amended by chapter 804 of the laws of 1990, is amended to read as
35 follows:

36 2. Except in an action for wrongful death, an action against the
37 authority for damages for injuries to real or personal property, or for
38 the destruction thereof, or for personal injuries, alleged to have been
39 sustained, shall not be commenced more than one year AND NINETY DAYS
40 after the cause of action therefor shall have accrued, nor unless a
41 notice of [intention to commence such action and of the time when and
42 place where the damages or personal injuries were incurred or sustained,
43 together with a verified statement showing in detail the property
44 alleged to have been damaged or destroyed and the value thereof, or the
45 personal injuries alleged to have been sustained and by whom, shall have
46 been filed with the secretary of the authority in the principal office
47 of the authority within six months after such cause of action shall have
48 accrued] CLAIM SHALL HAVE BEEN SERVED ON THE AUTHORITY WITHIN THE TIME
49 LIMIT ESTABLISHED BY, AND IN COMPLIANCE WITH ALL REQUIREMENTS OF SECTION
50 FIFTY-E OF THE GENERAL MUNICIPAL LAW. An action against the authority
51 for wrongful death shall be commenced in accordance with the notice of
52 claim and time limitation provisions of title eleven of article nine of
53 this chapter.

54 S 40. Subdivision 2 of section 1466 of the public authorities law, as
55 added by chapter 637 of the laws of 1948 and such section as renumbered
56 by chapter 914 of the laws of 1957, is amended to read as follows:

1 2. An action against the authority for damages for injuries to real or
2 personal property, or for the destruction thereof, or for personal inju-
3 ries or death, alleged to have been sustained, shall not be commenced
4 more than one year AND NINETY DAYS after the cause of action therefor
5 shall have accrued, nor unless a notice of [intention to commence such
6 action and of the time when and place where the damages or personal
7 injuries or death were incurred or sustained, together with a verified
8 statement showing in detail the property alleged to have been damaged or
9 destroyed and the value thereof, or the personal injuries alleged to
10 have been sustained and by whom, shall have been filed with the secre-
11 tary of the authority in the principal office of the authority within
12 six months after such cause of action shall have accrued] CLAIM SHALL
13 HAVE BEEN SERVED ON THE AUTHORITY WITHIN THE TIME LIMIT ESTABLISHED BY,
14 AND IN COMPLIANCE WITH ALL REQUIREMENTS OF SECTION FIFTY-E OF THE GENER-
15 AL MUNICIPAL LAW.

16 S 41. Subdivision 2 of section 1470-p of the public authorities law,
17 as amended by chapter 804 of the laws of 1990, is amended to read as
18 follows:

19 2. Except in an action for wrongful death, an action against the
20 authority for damages for injuries to real or personal property, or for
21 the destruction thereof, or for personal injuries, alleged to have been
22 sustained, shall not be commenced more than one year AND NINETY DAYS
23 after the cause of action therefor shall have accrued, nor unless a
24 notice of [intention to commence such an action and of the time when and
25 place where the damages or personal injuries were incurred or sustained,
26 together with a verified statement showing in detail the property
27 alleged to have been damaged or destroyed and the value thereof, or the
28 personal injuries alleged to have been sustained and by whom, shall have
29 been filed with the secretary of the authority in the principal office
30 of the authority within six months after such cause of action shall have
31 accrued] CLAIM SHALL HAVE BEEN SERVED ON THE AUTHORITY WITHIN THE TIME
32 LIMIT ESTABLISHED BY, AND IN COMPLIANCE WITH ALL REQUIREMENTS OF SECTION
33 FIFTY-E OF THE GENERAL MUNICIPAL LAW. An action against the authority
34 for wrongful death shall be commenced in accordance with the notice of
35 claim and time limitation provisions of title eleven of article nine of
36 this chapter.

37 S 42. Subdivision 2 of section 1493-q of the public authorities law,
38 as amended by chapter 804 of the laws of 1990, is amended to read as
39 follows:

40 2. Except in an action for wrongful death, an action against the
41 authority for damages for injuries to real or personal property, or for
42 the destruction thereof, or for personal injuries, alleged to have been
43 sustained, shall not be commenced more than one year AND NINETY DAYS
44 after the cause of action therefor shall have accrued, nor unless a
45 notice of [intention to commence such action and of the time when and
46 place where the damages or personal injuries were incurred or sustained,
47 together with a verified statement showing in detail the property
48 alleged to have been damaged or destroyed and the value thereof, or the
49 personal injuries alleged to have been sustained and by whom, shall have
50 been filed with the secretary of the authority in the principal office
51 of the authority within six months after such cause of action shall have
52 accrued] CLAIM SHALL HAVE BEEN SERVED ON THE AUTHORITY WITHIN THE TIME
53 LIMIT ESTABLISHED BY, AND IN COMPLIANCE WITH ALL REQUIREMENTS OF SECTION
54 FIFTY-E OF THE GENERAL MUNICIPAL LAW. An action against the authority
55 for wrongful death shall be commenced in accordance with the notice of

1 claim and time limitation provisions of title eleven of article nine of
2 this chapter.

3 S 43. Subdivision 2 of section 1516 of the public authorities law, as
4 amended by chapter 804 of the laws of 1990, is amended to read as
5 follows:

6 2. Except in an action for wrongful death, an action against the
7 authority for damages for injuries to real or personal property, or for
8 the destruction thereof, or for personal injuries, alleged to have been
9 sustained, shall not be commenced more than one year AND NINETY DAYS
10 after the cause of action therefor shall have accrued, nor unless a
11 notice of [intention to commence such action and of the time when and
12 place where the damages or personal injuries were incurred or sustained,
13 together with a verified statement showing in detail the property
14 alleged to have been damaged or destroyed and the value thereof, or the
15 personal injuries alleged to have been sustained and by whom, shall have
16 been filed with the secretary of the authority in the principal office
17 of the authority within six months after such cause of action shall have
18 accrued] CLAIM SHALL HAVE BEEN SERVED ON THE AUTHORITY WITHIN THE TIME
19 LIMIT ESTABLISHED BY, AND IN COMPLIANCE WITH ALL REQUIREMENTS OF SECTION
20 FIFTY-E OF THE GENERAL MUNICIPAL LAW. An action against the authority
21 for wrongful death shall be commenced in accordance with the notice of
22 claim and time limitation provisions of title eleven of article nine of
23 this chapter.

24 S 44. Subdivision 2 of section 1541 of the public authorities law, as
25 amended by chapter 804 of the laws of 1990, is amended to read as
26 follows:

27 2. Except in an action for wrongful death, an action against the
28 authority for damages for injuries to real or personal property, or for
29 the destruction thereof, or for personal injuries, alleged to have been
30 sustained, shall not be commenced more than one year AND NINETY DAYS
31 after the cause of action therefor shall have accrued, nor unless a
32 notice of [intention to commence such action and of the time when and
33 place where the damages or personal injuries were incurred or sustained,
34 together with a verified statement showing in detail the property
35 alleged to have been damaged or destroyed and the value thereof, or the
36 personal injuries alleged to have been sustained and by whom, shall have
37 been filed with the secretary of the authority in the principal office
38 of the authority within six months after such cause of action shall have
39 accrued] CLAIM SHALL HAVE BEEN SERVED ON THE AUTHORITY WITHIN THE TIME
40 LIMIT ESTABLISHED BY AND IN COMPLIANCE WITH ALL REQUIREMENTS OF SECTION
41 FIFTY-E OF THE GENERAL MUNICIPAL LAW. An action against the authority
42 for wrongful death shall be commenced in accordance with the notice of
43 claim and time limitation provisions of title eleven of article nine of
44 this chapter.

45 S 45. Subdivision 2 of section 1585-q of the public authorities law,
46 as amended by chapter 804 of the laws of 1990, is amended to read as
47 follows:

48 2. Except in an action for wrongful death, an action against the
49 authority for damages for injuries to real or personal property, or for
50 the destruction thereof, or for personal injuries, alleged to have been
51 sustained, shall not be commenced more than one year AND NINETY DAYS
52 after the cause of action therefor shall have accrued, nor unless a
53 notice of [intention to commence such action and of the time when and
54 place where damages or personal injuries were incurred or sustained,
55 together with a verified statement showing in detail the property
56 alleged to have been damaged or destroyed and the value thereof, or the

1 personal injuries alleged to have been sustained and by whom, shall have
2 been filed with the secretary of the authority in the principal office
3 of the authority within six months after such cause of action shall have
4 accrued] CLAIM SHALL HAVE BEEN SERVED ON THE AUTHORITY WITHIN THE TIME
5 LIMIT ESTABLISHED BY AND IN COMPLIANCE WITH ALL REQUIREMENTS OF SECTION
6 FIFTY-E OF THE GENERAL MUNICIPAL LAW. An action against the authority
7 for wrongful death shall be commenced in accordance with the notice of
8 claim and time limitation provisions of title eleven of article nine of
9 this chapter.

10 S 46. Subdivision 2 of section 1590-q of the public authorities law,
11 as amended by chapter 804 of the laws of 1990, is amended to read as
12 follows:

13 2. Except in an action for wrongful death, an action against the
14 authority for damages for injuries to real or personal property, or for
15 the destruction thereof, or for personal injuries, alleged to have been
16 sustained, shall not be commenced more than one year AND NINETY DAYS
17 after the cause of action therefor shall have accrued, nor unless a
18 notice of [intention to commence such action and of the time when and
19 place where the damages or personal injuries were incurred or sustained,
20 together with a verified statement showing in detail the property
21 alleged to have been damaged or destroyed and the value thereof, or the
22 personal injuries alleged to have been sustained and by whom, shall have
23 been filed with the secretary of the authority in the principal office
24 of the authority within six months after such cause of action shall have
25 accrued] CLAIM SHALL HAVE BEEN SERVED ON THE AUTHORITY WITHIN THE TIME
26 LIMIT ESTABLISHED BY AND IN COMPLIANCE WITH ALL REQUIREMENTS OF SECTION
27 FIFTY-E OF THE GENERAL MUNICIPAL LAW. An action against the authority
28 for wrongful death shall be commenced in accordance with the notice of
29 claim and time limitation provisions of title eleven of article nine of
30 this chapter.

31 S 47. Subdivision 2 of section 1595-q of the public authorities law,
32 as added by chapter 1024 of the laws of 1968, is amended to read as
33 follows:

34 2. An action against the authority for damages, for injuries to real
35 or personal property, or for the destruction thereof, or for personal
36 injuries or death, alleged to have been sustained, shall not be
37 commenced more than one year AND NINETY DAYS after the cause of action
38 therefor shall have accrued, nor unless a notice of [intention to
39 commence such action and of the time when and place where the damages or
40 personal injuries or death were incurred or sustained, together with a
41 verified statement showing in detail the property alleged to have been
42 damaged or destroyed and the value thereof, or the personal injuries
43 alleged to have been sustained and by whom, shall have been filed with
44 the secretary of the authority in the principal office of the authority
45 within six months after such cause of action shall have accrued] CLAIM
46 SHALL HAVE BEEN SERVED ON THE AUTHORITY WITHIN THE TIME LIMIT ESTAB-
47 LISHED BY AND IN COMPLIANCE WITH ALL REQUIREMENTS OF SECTION FIFTY-E OF
48 THE GENERAL MUNICIPAL LAW.

49 S 48. Subdivision 2 of section 1596-p of the public authorities law,
50 as amended by chapter 804 of the laws of 1990, is amended to read as
51 follows:

52 2. Except in an action for wrongful death, an action against the
53 authority for damages for injuries to real or personal property, or for
54 the destruction thereof, or for personal injuries, alleged to have been
55 sustained, shall not be commenced more than one year AND NINETY DAYS
56 after the cause of action therefor shall have accrued, nor unless a

1 notice of [intention to commence such an action and of the time when and
2 place where the damages or personal injuries were incurred or sustained,
3 together with a verified statement showing in detail the property
4 alleged to have been damaged or destroyed and the value thereof, or the
5 personal injuries alleged to have been sustained and by whom, shall have
6 been filed with the secretary of the authority in the principal office
7 of the authority within six months after such cause of action shall have
8 accrued] CLAIM SHALL HAVE BEEN SERVED ON THE AUTHORITY WITHIN THE TIME
9 LIMIT ESTABLISHED BY AND IN COMPLIANCE WITH ALL REQUIREMENTS OF SECTION
10 FIFTY-E OF THE GENERAL MUNICIPAL LAW. An action against the authority
11 for wrongful death shall be commenced in accordance with the notice of
12 claim and time limitation provisions of title eleven of article nine of
13 this chapter.

14 S 49. Subdivision 2 of section 1597-p of the public authorities law,
15 as amended by chapter 804 of the laws of 1990, is amended to read as
16 follows:

17 2. Except in an action for wrongful death, an action against the
18 authority for damages for injuries to real or personal property, or for
19 the destruction thereof, or for personal injuries, alleged to have been
20 sustained, shall not be commenced more than one year AND NINETY DAYS
21 after the cause of action therefor shall have accrued, nor unless a
22 notice of [intention to commence such an action and of the time when and
23 place where the damages or personal injuries were incurred or sustained,
24 together with a verified statement showing in detail the property
25 alleged to have been damaged or destroyed and the value thereof, or the
26 personal injuries alleged to have been sustained and by whom, shall have
27 been filed with the secretary of the authority in the principal office
28 of the authority within six months after such cause of action shall have
29 accrued] CLAIM SHALL HAVE BEEN SERVED ON THE AUTHORITY WITHIN THE TIME
30 LIMIT ESTABLISHED BY AND IN COMPLIANCE WITH ALL REQUIREMENTS OF SECTION
31 FIFTY-E OF THE GENERAL MUNICIPAL LAW. An action against the authority
32 for wrongful death shall be commenced in accordance with the notice of
33 claim and time limitation provisions of title eleven of article nine of
34 this chapter.

35 S 50. Subdivision 2 of section 1598-p of the public authorities law,
36 as amended by chapter 804 of the laws of 1990, is amended to read as
37 follows:

38 2. Except in an action for wrongful death, an action against the
39 authority for damages for injuries to real or personal property, or for
40 the destruction thereof, or for personal injuries, alleged to have been
41 sustained, shall not be commenced more than one year AND NINETY DAYS
42 after the cause of action therefor shall have accrued, nor unless a
43 notice of [intention to commence such action and of the time when and
44 place where the damages or personal injuries were incurred or sustained,
45 together with a verified statement showing in detail the property
46 alleged to have been damaged or destroyed and the value thereof, or the
47 personal injuries alleged to have been sustained and by whom, shall have
48 been filed with the secretary of the authority in the principal office
49 of the authority within six months after such cause of action shall have
50 accrued] CLAIM SHALL HAVE BEEN SERVED ON THE AUTHORITY WITHIN THE TIME
51 LIMIT ESTABLISHED BY AND IN COMPLIANCE WITH ALL REQUIREMENTS OF SECTION
52 FIFTY-E OF THE GENERAL MUNICIPAL LAW. An action against the authority
53 for wrongful death shall be commenced in accordance with the notice of
54 claim and time limitation provisions of title eleven of article nine of
55 this chapter.

1 S 51. Subdivision (b) of section 1599-qq of the public authorities
2 law, as amended by chapter 804 of the laws of 1990, is amended to read
3 as follows:

4 (b) Except in an action for wrongful death, an action against the
5 authority for damages for injuries to real or personal property, or for
6 the destruction thereof, or for personal injuries, alleged to have been
7 sustained, shall not be commenced more than one year AND NINETY DAYS
8 after the cause of action therefor shall have accrued, nor unless a
9 notice of [intention to commence such action and of the time when and
10 place where the damages or personal injuries were incurred or sustained,
11 together with a verified statement showing in detail the property
12 alleged to have been damaged or destroyed and the value thereof, or the
13 personal injuries alleged to have been sustained and by whom, shall have
14 been filed with the secretary of the authority in the principal office
15 of the authority within six months after such cause of action shall have
16 accrued] CLAIM SHALL HAVE BEEN SERVED ON THE AUTHORITY WITHIN THE TIME
17 LIMIT ESTABLISHED BY AND IN COMPLIANCE WITH ALL REQUIREMENTS OF SECTION
18 FIFTY-E OF THE GENERAL MUNICIPAL LAW. An action against the authority
19 for wrongful death shall be commenced in accordance with the notice of
20 claim and time limitation provisions of title eleven of article nine of
21 this chapter.

22 S 52. Subdivision 2 of section 1599-qqqq of the public authorities
23 law, as amended by chapter 804 of the laws of 1990, is amended to read
24 as follows:

25 2. Except in an action for wrongful death, an action against the
26 authority for damages for injuries to real or personal property, or for
27 the destruction thereof, or for personal injuries, alleged to have been
28 sustained, shall not be commenced more than one year AND NINETY DAYS
29 after the cause of action therefor shall have accrued, nor unless a
30 notice of [intention to commence such an action and of the time when and
31 place where the damages or personal injuries were incurred or sustained,
32 together with a verified statement showing in detail the property
33 alleged to have been damaged or destroyed and the value thereof, or the
34 personal injuries alleged to have been sustained and by whom, shall have
35 been filed with the secretary of the authority in the principal office
36 of the authority within six months after such cause of action shall have
37 accrued] CLAIM SHALL HAVE BEEN SERVED ON THE AUTHORITY WITHIN THE TIME
38 LIMIT ESTABLISHED BY AND IN COMPLIANCE WITH ALL REQUIREMENTS OF SECTION
39 FIFTY-E OF THE GENERAL MUNICIPAL LAW. An action against the authority
40 for wrongful death shall be commenced in accordance with the notice of
41 claim and time limitation provisions of title eleven of article nine of
42 this chapter.

43 S 53. Subdivision 2 of section 1600-qq of the public authorities law,
44 as amended by chapter 804 of the laws of 1990, is amended to read as
45 follows:

46 2. Except in an action for wrongful death, an action against the
47 authority for damages for injuries to real or personal property, or for
48 the destruction thereof, or for personal injuries, alleged to have been
49 sustained, shall not be commenced more than one year AND NINETY DAYS
50 after the cause of action therefor shall have accrued, nor unless a
51 notice of [intention to commence such action and of the time when and
52 place where the damages or personal injuries were incurred or sustained,
53 together with a verified statement showing in detail the property
54 alleged to have been damaged or destroyed and the value thereof, or the
55 personal injuries alleged to have been sustained and by whom, shall have
56 been filed with the secretary of the authority in the principal office

1 of the authority within six months after such cause of action shall have
2 accrued] CLAIM SHALL HAVE BEEN SERVED ON THE AUTHORITY WITHIN THE TIME
3 LIMIT ESTABLISHED BY AND IN COMPLIANCE WITH ALL REQUIREMENTS OF SECTION
4 FIFTY-E OF THE GENERAL MUNICIPAL LAW. An action against the authority
5 for wrongful death shall be commenced in accordance with the notice of
6 claim and time limitation provisions of title eleven of article nine of
7 this chapter.

8 S 54. Subdivision 2 of section 1617 of the public authorities law, as
9 amended by chapter 804 of the laws of 1990, is amended to read as
10 follows:

11 2. Except in an action for wrongful death, an action against the
12 authority for damages for injuries to real or personal property, or for
13 the destruction thereof, or for personal injuries, alleged to have been
14 sustained, shall not be commenced more than one year AND NINETY DAYS
15 after the cause of action therefor shall have accrued, nor unless a
16 notice of [intention to commence such action and of the time when and
17 place where the damages or personal injuries were incurred or sustained,
18 together with a verified statement showing in detail the property
19 alleged to have been damaged or destroyed and the value thereof, or the
20 personal injuries alleged to have been sustained and by whom, shall have
21 been filed with the secretary of the authority in the principal office
22 of the authority within six months after such cause of action shall have
23 accrued] CLAIM SHALL HAVE BEEN SERVED ON THE AUTHORITY WITHIN THE TIME
24 LIMIT ESTABLISHED BY AND IN COMPLIANCE WITH ALL REQUIREMENTS OF SECTION
25 FIFTY-E OF THE GENERAL MUNICIPAL LAW. An action against the authority
26 for wrongful death shall be commenced in accordance with the notice of
27 claim and time limitation provisions of title eleven of article nine of
28 this chapter.

29 S 55. Subdivision 2 of section 1621-q of the public authorities law,
30 as amended by chapter 804 of the laws of 1990, is amended to read as
31 follows:

32 2. Except in an action for wrongful death, an action against the
33 authority for damages for injuries to real or personal property, or for
34 the destruction thereof, or for personal injuries, alleged to have been
35 sustained, shall not be commenced more than one year AND NINETY DAYS
36 after the cause of action therefor shall have accrued, nor unless a
37 notice of [intention to commence such action and of the time when and
38 place where the damages or personal injuries were incurred or sustained,
39 together with a verified statement showing in detail the property
40 alleged to have been damaged or destroyed and the value thereof, or the
41 personal injuries alleged to have been sustained and by whom, shall have
42 been filed with the secretary of the authority in the principal office
43 of the authority within six months after such cause of action shall have
44 accrued] CLAIM SHALL HAVE BEEN SERVED ON THE AUTHORITY WITHIN THE TIME
45 LIMIT ESTABLISHED BY AND IN COMPLIANCE WITH ALL REQUIREMENTS OF SECTION
46 FIFTY-E OF THE GENERAL MUNICIPAL LAW. An action against the authority
47 for wrongful death shall be commenced in accordance with the notice of
48 claim and time limitation provisions of title eleven of article nine of
49 this chapter.

50 S 56. Subdivision 2 of section 1622-q of the public authorities law,
51 as added by chapter 489 of the laws of 1991, is amended to read as
52 follows:

53 2. Except in an action for wrongful death, an action against the
54 authority for damages for injuries to real or personal property, or for
55 the destruction thereof, or for personal injuries, alleged to have been
56 sustained, shall not be commenced more than one year AND NINETY DAYS

1 after the cause of action therefor shall have accrued, nor unless a
2 notice of [intention to commence such an action and of the time when and
3 place where the damages or personal injuries were incurred or sustained,
4 together with a verified statement showing in detail the property
5 alleged to have been damaged or destroyed and the value thereof, or the
6 personal injuries alleged to have been sustained and by whom, shall have
7 been filed with the secretary of the authority in the principal office
8 of the authority within six months after such cause of action shall have
9 accrued] CLAIM SHALL HAVE BEEN SERVED ON THE AUTHORITY WITHIN THE TIME
10 LIMIT ESTABLISHED BY AND IN COMPLIANCE WITH ALL REQUIREMENTS OF SECTION
11 FIFTY-E OF THE GENERAL MUNICIPAL LAW. An action against the authority
12 for wrongful death shall be commenced in accordance with the notice of
13 claim and time limitation provisions of title eleven of article nine of
14 this chapter.

15 S 57. Subdivision 2 of section 1777 of the public authorities law, as
16 amended by chapter 804 of the laws of 1990, is amended to read as
17 follows:

18 2. Except in an action for wrongful death, in a case founded upon a
19 tort, a notice of claim shall be required as a condition precedent to
20 the commencement of an action or special proceeding against the authori-
21 ty or an officer, appointee or employee thereof, and the provisions of
22 section fifty-e of the general municipal law shall govern the giving of
23 such notice. No action shall be commenced more than one year AND NINETY
24 DAYS after the cause of action therefor shall have accrued, except in an
25 action for wrongful death, which shall be commenced in accordance with
26 the notice of claim and time limitation provisions of title eleven of
27 article nine of this chapter.

28 S 58. Subdivision 2 of section 1918 of the public authorities law, as
29 amended by chapter 804 of the laws of 1990, is amended to read as
30 follows:

31 2. Except in an action for wrongful death, an action against the
32 authority founded on tort shall not be commenced more than one year AND
33 NINETY DAYS after the cause of action therefor shall have accrued, nor
34 unless a notice of claim shall have been served on the authority within
35 the time limited by, and in compliance with all the requirements of
36 section fifty-e of the general municipal law. An action against the
37 authority for wrongful death shall be commenced in accordance with the
38 notice of claim and time limitation provisions of title eleven of arti-
39 cle nine of this chapter.

40 S 59. Subdivision 2 of section 1939-g of the public authorities law,
41 as amended by chapter 804 of the laws of 1990, is amended to read as
42 follows:

43 2. Except in an action for wrongful death, an action against the
44 authority founded in tort shall not be commenced more than one year AND
45 NINETY DAYS after the cause of action therefor shall have accrued, nor
46 unless a notice of claim shall have been served on the authority within
47 the time limited by, and in compliance with all the requirements of
48 section fifty-e of the general municipal law. An action against the
49 authority for wrongful death shall be commenced in accordance with the
50 notice of claim and time limitation provisions of title eleven of arti-
51 cle nine of this chapter.

52 S 60. Subdivision 2 of section 1966 of the public authorities law, as
53 added by chapter 759 of the laws of 1967, is amended to read as follows:

54 2. In a case founded upon tort, a notice of claim shall be required as
55 a condition precedent to the commencement of an action or special
56 proceeding against the authority or an officer, appointee or employee

thereof, and the provisions of section fifty-e of the general municipal law shall govern the giving of such notice. No action shall be commenced more than one year AND NINETY DAYS after the cause of action therefor shall have accrued.

S 61. Section 1984 of the public authorities law, as amended by chapter 804 of the laws of 1990, is amended to read as follows:

S 1984. Actions. In any case founded upon tort a notice of claim shall be required as a condition precedent to the commencement of an action or special proceeding against the authority or any officer, appointee or employee thereof, and the provisions of section fifty-e of the general municipal law shall govern the giving of such notice. An action against the authority for wrongful death shall be commenced in accordance with the notice of claim and time limitation provisions of title eleven of article nine of this chapter. EXCEPT IN AN ACTION FOR WRONGFUL DEATH, AN ACTION AGAINST THE AUTHORITY FOR DAMAGES FOR INJURIES TO REAL OR PERSONAL PROPERTY, OR FOR THE DESTRUCTION THEREOF, OR FOR PERSONAL INJURIES, ALLEGED TO HAVE BEEN SUSTAINED, SHALL NOT BE COMMENCED MORE THAN ONE YEAR AND NINETY DAYS AFTER THE CAUSE OF ACTION THEREFOR SHALL HAVE ACCRUED.

S 62. Section 2032 of the public authorities law, as added by chapter 745 of the laws of 1969, is amended to read as follows:

S 2032. Actions. In any case founded upon tort a notice of claim shall be required as a condition precedent to the commencement of an action or special proceeding against the authority or any officer, appointee or employee thereof, and the provisions of section fifty-e of the general municipal law shall govern the giving of such notice. EXCEPT IN AN ACTION FOR WRONGFUL DEATH, AN ACTION AGAINST THE AUTHORITY FOR DAMAGES FOR INJURIES TO REAL OR PERSONAL PROPERTY, OR FOR THE DESTRUCTION THEREOF, OR FOR PERSONAL INJURIES, ALLEGED TO HAVE BEEN SUSTAINED, SHALL NOT BE COMMENCED MORE THAN ONE YEAR AND NINETY DAYS AFTER THE CAUSE OF ACTION THEREFOR SHALL HAVE ACCRUED.

S 63. Subdivision 2 of section 2040-i of the public authorities law, as amended by chapter 804 of the laws of 1990, is amended to read as follows:

2. Except in an action for wrongful death, an action against the authority founded on tort shall not be commenced more than one year AND NINETY DAYS after the cause of action therefor shall have accrued, nor unless a notice of claim shall have been served on the authority within the time limited by and in compliance with all the requirements of section fifty-e of the general municipal law. An action against the authority for wrongful death shall be commenced in accordance with the notice of claim and time limitation provisions of title eleven of article nine of this chapter.

S 64. Subdivision 2 of section 2046-i of the public authorities law, as amended by chapter 804 of the laws of 1990, is amended to read as follows:

2. Except in an action for wrongful death, an action against the agency founded on tort shall not be commenced more than one year AND NINETY DAYS after the cause of action therefor shall have accrued, nor unless a notice of claim shall have been served on the agency within the time limited by and in compliance with all the requirements of section fifty-e of the general municipal law. An action against the agency for wrongful death shall be commenced in accordance with the notice of claim and time limitation provisions of title eleven of article nine of this chapter.

1 S 65. Subdivision b of section 2087 of the public authorities law, as
2 amended by chapter 804 of the laws of 1990, is amended to read as
3 follows:

4 b. Except in an action for wrongful death, an action against the
5 authority founded in tort shall not be commenced more than one year AND
6 NINETY DAYS after the cause of action therefor shall have accrued, nor
7 unless a notice of claim shall have been served on the authority within
8 the time limited by, and in compliance with all the requirements of
9 section fifty-e of the general municipal law. An action against the
10 authority for wrongful death shall be commenced in accordance with the
11 notice of claim and time limitation provisions of title eleven of arti-
12 cle nine of this chapter.

13 S 66. Subdivision 2 of section 2332 of the public authorities law, as
14 added by chapter 915 of the laws of 1969, is amended to read as follows:

15 2. In a case founded upon tort, a notice of claim shall be required as
16 a condition precedent to the commencement of an action or special
17 proceeding against the authority or an officer, appointee or employee
18 thereof, and the provisions of section fifty-e of the general municipal
19 law shall govern the giving of such notice. No action shall be commenced
20 more than one year AND NINETY DAYS after the cause of action therefor
21 shall have accrued.

22 S 67. Section 2416 of the public authorities law, as added by chapter
23 612 of the laws of 1970, the closing paragraph as amended by chapter 804
24 of the laws of 1990, is amended to read as follows:

25 S 2416. Actions. In any case founded upon tort a notice of claim shall
26 be required as a condition precedent to the commencement of an action or
27 special proceeding against the agency or any officer, appointee or
28 employee thereof, and the provisions of section fifty-e of the general
29 municipal law shall govern the giving of such notice.

30 Except in an action for wrongful death, no action shall be commenced
31 (a) prior to the expiration of thirty days from the date on which the
32 demand, claim or claims upon which the action is founded were presented
33 to a director of the agency or other officer thereof designated for such
34 purpose nor (b) more than one year AND NINETY DAYS after the cause of
35 action therefor shall have accrued. An action against the agency for
36 wrongful death shall be commenced in accordance with the notice of claim
37 and time limitation provisions of title eleven of article nine of this
38 chapter.

39 S 68. Section 2447 of the public authorities law, as added by chapter
40 902 of the laws of 1972, the closing paragraph as amended by chapter 804
41 of the laws of 1990, is amended to read as follows:

42 S 2447. Actions. In any case founded upon tort a notice of claim shall
43 be required as a condition precedent to the commencement of an action or
44 special proceeding against the agency or any officer, appointee or
45 employee thereof, and the provisions of section fifty-e of the general
46 municipal law shall govern the giving of such notice.

47 Except in an action for wrongful death, no action shall be commenced
48 (a) prior to the expiration of thirty days from the date on which the
49 demand, claim or claims upon which the action is founded were presented
50 to a director of the agency or other officer thereof designated for such
51 purpose nor (b) more than one year AND NINETY DAYS after the cause of
52 action therefor shall have accrued. An action against the agency for
53 wrongful death shall be commenced in accordance with the notice of claim
54 and time limitation provisions of title eleven of article nine of this
55 chapter.

1 S 69. Section 2570 of the public authorities law, as amended by chap-
2 ter 804 of the laws of 1990, is amended to read as follows:

3 S 2570. Actions. A notice of claim, served in accordance with the
4 provisions of section fifty-e of the general municipal law, shall be a
5 condition precedent to the commencement of an action against the corpo-
6 ration, its directors, officers, employees or agents. No such action
7 shall be commenced more than one year AND NINETY DAYS after it has
8 accrued, except that an action against the corporation for wrongful
9 death shall be commenced in accordance with the notice of claim and time
10 limitation provisions of title eleven of article nine of this chapter.

11 S 70. Subdivision 2 of section 2638 of the public authorities law, as
12 amended by chapter 804 of the laws of 1990, is amended to read as
13 follows:

14 2. In a case founded upon tort, a notice of claim shall be required as
15 a condition precedent to the commencement of an action or special
16 proceeding against the commission or an officer, appointee or employee
17 thereof, and the provisions of section fifty-e of the general municipal
18 law shall govern the giving of such notice. No action shall be commenced
19 more than one year AND NINETY DAYS after the cause of action therefor
20 shall have accrued, except an action against the commission for wrongful
21 death shall be commenced in accordance with the notice of claim and time
22 limitation provisions of title eleven of article nine of this chapter.

23 S 71. Subdivision 2 of section 376-a of the education law, as amended
24 by chapter 804 of the laws of 1990, is amended to read as follows:

25 2. Except in an action for wrongful death, an action against the fund
26 for damages for injuries to real or personal property, or for the
27 destruction thereof, or for personal injuries, alleged to have been
28 sustained, shall not be commenced more than one year and ninety days
29 after the cause of action therefor shall have accrued, nor unless a
30 notice of [intention to commence such action and of the time when and
31 place where the damages or personal injuries were incurred or sustained,
32 together with a verified statement showing in detail the property
33 alleged to have been damaged or destroyed and the value thereof, or the
34 personal injuries, alleged to have been sustained, and by whom, shall
35 have been filed with a trustee or officer of the fund in the principal
36 office of the fund within ninety days after such cause of action shall
37 have accrued] CLAIM SHALL HAVE BEEN SERVED ON THE FUND WITHIN THE TIME
38 LIMIT ESTABLISHED BY, AND IN COMPLIANCE WITH ALL REQUIREMENTS OF SECTION
39 FIFTY-E OF THE GENERAL MUNICIPAL LAW. An action against the fund for
40 wrongful death shall be commenced in accordance with the notice of claim
41 and time limitation provisions of title eleven of article nine of the
42 public authorities law.

43 S 72. Subdivision 3 of section 467 of the education law, as amended by
44 chapter 804 of the laws of 1990, is amended to read as follows:

45 3. Except in an action for wrongful death, an action against the fund
46 for damages for injuries to real or personal property, or for the
47 destruction thereof, or for personal injuries, alleged to have been
48 sustained, shall not be commenced more than one year and ninety days
49 after the cause of action therefor shall have accrued, nor unless a
50 notice of [intention to commence such action and of the time when and
51 place where the damages or personal injuries were incurred or sustained,
52 together with a verified statement showing in detail the property
53 alleged to have been damaged or destroyed and the value thereof, or the
54 personal injuries, alleged to have been sustained, and by whom, shall
55 have been filed with a trustee or officer of the fund in the principal
56 office of the fund within ninety days after such cause of action shall

1 have accrued] CLAIM SHALL HAVE BEEN SERVED ON THE FUND WITHIN THE TIME
2 LIMIT ESTABLISHED BY, AND IN COMPLIANCE WITH ALL REQUIREMENTS OF SECTION
3 FIFTY-E OF THE GENERAL MUNICIPAL LAW. An action against the fund for
4 wrongful death shall be commenced in accordance with the notice of claim
5 and time limitation provisions of title eleven of article nine of the
6 public authorities law.

7 S 73. Subdivision 3 of section 491 of the education law, as amended by
8 chapter 804 of the laws of 1990, is amended to read as follows:

9 3. Except in an action for wrongful death, an action against the fund
10 for damages for injuries to real or personal property, or for the
11 destruction thereof, or for personal injuries, alleged to have been
12 sustained, shall not be commenced more than one year and ninety days
13 after the cause of action therefor shall have accrued, nor unless a
14 notice of [intention to commence such action and of the time when and
15 place where the damages or personal injuries were incurred or sustained,
16 together with a verified statement showing in detail the property
17 alleged to have been damaged or destroyed and the value thereof, or the
18 personal injuries, alleged to have been sustained, and by whom, shall
19 have been filed with a trustee or officer of the fund in the principal
20 office of the fund within ninety days after such cause of action shall
21 have accrued] CLAIM SHALL HAVE BEEN SERVED ON THE FUND WITHIN THE TIME
22 LIMIT ESTABLISHED BY, AND IN COMPLIANCE WITH ALL REQUIREMENTS OF SECTION
23 FIFTY-E OF THE GENERAL MUNICIPAL LAW. An action against the fund for
24 wrongful death shall be commenced in accordance with the notice of claim
25 and time limitation provisions of title eleven of article nine of the
26 public authorities law.

27 S 74. Section 41.29 of the mental hygiene law, as amended by chapter
28 588 of the laws of 1973 and as renumbered by chapter 978 of the laws of
29 1977, is amended to read as follows:

30 S 41.29 Liability of local government.

31 Any local government which has established a local governmental unit
32 shall save harmless and protect the members of the board and officers
33 and employees of such unit from financial loss arising out of any claim,
34 demand, suit, or judgment by reason of alleged negligence or other act
35 resulting in accidental bodily harm or injury to any person, provided
36 such board member, officer, or employee at the time of the accident or
37 injury was acting in the discharge of his duties within the scope of his
38 employment under this article. No action shall be maintained under this
39 section against such a local government, board member, officer, or
40 employee unless a notice of claim shall have been made and served in
41 compliance with section fifty-e of the general municipal law. EXCEPT IN
42 AN ACTION FOR WRONGFUL DEATH, AN ACTION AGAINST SUCH A LOCAL GOVERNMENT,
43 BOARD MEMBER, OFFICER, OR EMPLOYEE FOR DAMAGES FOR INJURIES TO REAL OR
44 PERSONAL PROPERTY, OR FOR THE DESTRUCTION THEREOF, OR FOR PERSONAL INJU-
45 RIES, ALLEGED TO HAVE BEEN SUSTAINED, SHALL NOT BE COMMENCED MORE THAN
46 ONE YEAR AND NINETY DAYS AFTER THE CAUSE OF ACTION THEREFOR SHALL HAVE
47 ACCRUED.

48 S 75. Subdivision 1 of section 667 of the private housing finance law,
49 as amended by chapter 804 of the laws of 1990 and as designated by chap-
50 ter 702 of the laws of 1992, is amended to read as follows:

51 1. Except in an action for wrongful death, in any case founded upon
52 tort a notice of claim shall be required as a condition precedent to the
53 commencement of an action or special proceeding against the corporation,
54 any of its subsidiary corporations, or any officer, appointee or employ-
55 ee thereof, and the provisions of section fifty-e of the general municip-
56 al law shall govern the giving of such notice. An action for wrongful

1 death shall be commenced in accordance with the notice of claim and time
2 limitation provisions of title eleven of article nine of the public
3 authorities law. ANY OTHER ACTION AGAINST THE CORPORATION, ANY OF ITS
4 SUBSIDIARY CORPORATIONS, OR ANY OTHER OFFICER, APPOINTEE OR EMPLOYEE
5 THEREOF FOR DAMAGES FOR INJURIES TO REAL OR PERSONAL PROPERTY, OR FOR
6 THE DESTRUCTION THEREOF, OR FOR PERSONAL INJURIES, ALLEGED TO HAVE BEEN
7 SUSTAINED, SHALL NOT BE COMMENCED MORE THAN ONE YEAR AND NINETY DAYS
8 AFTER THE CAUSE OF ACTION THEREFOR SHALL HAVE ACCRUED.

9 S 76. Subdivision 3 of section 12 of section 1 of chapter 359 of the
10 laws of 1968, constituting the facilities development corporation act,
11 as amended by chapter 804 of the laws of 1990, is amended to read as
12 follows:

13 3. Except in an action for wrongful death, an action against the
14 corporation for damages for injuries to real or personal property, or
15 for the destruction thereof, or for personal injuries, alleged to have
16 been sustained, shall not be commenced more than one year and ninety
17 days after the cause of action therefor shall have accrued, nor unless a
18 notice of [intention to commence such action and of the time when and
19 place where the damages or personal injuries were incurred or sustained,
20 together with a verified statement showing in detail the property
21 alleged to have been damaged or destroyed and the value thereof, or the
22 personal injuries, alleged to have been sustained, and by whom, shall
23 have been filed with a member or officer of the corporation in the prin-
24 cipal office of the corporation within ninety days after such cause of
25 action shall have accrued] CLAIM SHALL HAVE BEEN SERVED ON THE CORPO-
26 RATION WITHIN THE TIME LIMIT ESTABLISHED BY AND IN COMPLIANCE WITH ALL
27 REQUIREMENTS OF SECTION FIFTY-E OF THE GENERAL MUNICIPAL LAW. An action
28 against the corporation for wrongful death shall be commenced in accord-
29 ance with the notice of claim and time limitation provisions of title
30 eleven of article nine of the public authorities law.

31 S 77. Subdivision a of section 19-152.2 of the administrative code of
32 the city of New York, as amended by local law number 104 of the city of
33 New York for the year 1993, is amended to read as follows:

34 a. A claim against the department arising from the city's performance
35 pursuant to section 19-152 of the code shall be initiated within one
36 year from the date of entry of a notice of account [by filing] IF THE
37 CLAIMANT SHALL HAVE FILED a notice of claim with the office of the comp-
38 troller of the city of New York WITHIN THE TIME LIMIT ESTABLISHED BY,
39 AND IN COMPLIANCE WITH ALL THE REQUIREMENTS OF SECTION FIFTY-E OF THE
40 GENERAL MUNICIPAL LAW. The claim forms shall be provided to property
41 owners upon request at no cost.

42 S 78. Chapter 154 of the laws of 1921, relating to the port authority
43 of New York and New Jersey is amended by adding a new article XI-A to
44 read as follows:

45 ARTICLE XI-A

46 NOTWITHSTANDING ANY OTHER PROVISION OF LAW TO THE CONTRARY, EVERY
47 ACTION AGAINST THE AUTHORITY FOR DAMAGES OR INJURIES TO REAL OR PERSONAL
48 PROPERTY, OR FOR THE DESTRUCTION THEREOF, OR FOR PERSONAL INJURIES OR
49 WRONGFUL DEATH SHALL NOT BE COMMENCED UNLESS A NOTICE OF CLAIM SHALL
50 HAVE BEEN SERVED ON THE AUTHORITY IN THE MANNER PROVIDED FOR IN THE
51 STATE WHERE THE ACTION IS COMMENCED, AND IN COMPLIANCE WITH THE PERTI-
52 NENT STATUTES OF THE STATE RELATING GENERALLY TO ACTIONS COMMENCED
53 AGAINST THAT STATE AND IN COMPLIANCE WITH ALL THE REQUIREMENTS OF THE
54 LAWS OF THAT STATE. WHERE SUCH STATE'S LAW PERMITS SERVICE UPON A
55 DEPARTMENT OF THAT STATE IN LIEU OF SERVICE UPON THE PUBLIC ENTITY,
56 SERVICE MAY BE MADE PURSUANT TO SUCH LAW. EXCEPT IN AN ACTION FOR WRONG-

1 FUL DEATH AGAINST SUCH AN ENTITY, AN ACTION FOR DAMAGES OR FOR INJURIES
2 TO REAL OR PERSONAL PROPERTY, OR FOR THE DESTRUCTION THEREOF, OR FOR
3 PERSONAL INJURIES, ALLEGED TO HAVE BEEN SUSTAINED, SHALL NOT BE
4 COMMENCED MORE THAN ONE YEAR AND NINETY DAYS AFTER THE CAUSE OF ACTION
5 THEREFOR SHALL HAVE ACCRUED OR WITHIN THE TIME PERIOD OTHERWISE
6 PRESCRIBED BY ANY SPECIAL PROVISION OF LAW OF THAT STATE, WHICHEVER IS
7 LONGER.

8 S 79. This act shall take effect on the one hundred eightieth day
9 after it shall have become a law and shall apply to all actions and
10 proceedings accruing on or after such date; provided, however, that
11 section seventy-eight of this act shall take effect upon the enactment
12 into law by the state of New Jersey of legislation having an identical
13 effect as section seventy-eight of this act, but if the state of New
14 Jersey shall have enacted such legislation into law prior to the first
15 day of January next succeeding the date upon which this act shall have
16 become a law, section seventy-eight of this act shall take effect on the
17 one hundred eightieth day from the date upon which it shall have become
18 a law; provided further, however, that the state of New Jersey shall
19 notify the legislative bill drafting commission upon the occurrence of
20 the enactment of the provisions provided for in this act in order that
21 the commission may maintain an accurate and timely effective data base
22 of the official text of the laws of the state of New York in furtherance
23 of effecting the provisions of section 44 of the legislative law and
24 section 70-b of the public officers law.