

7641--A

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

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 ONE THROUGH SEVENTY-SIX 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-
18 PAL LAW. EXCEPT IN AN ACTION FOR WRONGFUL DEATH AGAINST SUCH AN ENTITY,

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

LBD16120-04-2

1 AN ACTION FOR DAMAGES OR FOR INJURIES TO REAL OR PERSONAL PROPERTY, OR
2 FOR THE DESTRUCTION THEREOF, OR FOR PERSONAL INJURIES, ALLEGED TO HAVE
3 BEEN SUSTAINED, SHALL NOT BE COMMENCED MORE THAN ONE YEAR AND NINETY
4 DAYS AFTER THE CAUSE OF ACTION THEREFOR SHALL HAVE ACCRUED OR WITHIN THE
5 TIME PERIOD OTHERWISE PRESCRIBED BY ANY SPECIAL PROVISION OF LAW, WHICH-
6 EVER IS LONGER. NOTHING HEREIN IS INTENDED TO AMEND THE COURT OF CLAIMS
7 ACT OR ANY PROVISION THEREOF.

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

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

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

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

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

33 5. Application for leave to serve a late notice.

34 Upon application, the court, in its discretion, may extend the time to
35 serve a notice of claim specified in paragraph (a) of subdivision one of
36 this section, WHETHER SUCH SERVICE WAS MADE UPON A PUBLIC CORPORATION OR
37 THE SECRETARY OF STATE. The extension shall not exceed the time limited
38 for the commencement of an action by the claimant against the public
39 corporation. In determining whether to grant the extension, the court
40 shall consider, in particular, whether the public corporation or its
41 attorney or its insurance carrier acquired actual knowledge of the
42 essential facts constituting the claim within the time specified in
43 subdivision one of this section or within a reasonable time thereafter.
44 The court shall also consider all other relevant facts and circum-
45 stances, including: whether the claimant was an infant, or mentally or
46 physically incapacitated, or died before the time limited for service of
47 the notice of claim; whether the claimant failed to serve a timely
48 notice of claim by reason of his justifiable reliance upon settlement
49 representations made by an authorized representative of the public
50 corporation or its insurance carrier; whether the claimant in serving a
51 notice of claim made an excusable error concerning the identity of the
52 public corporation against which the claim should be asserted, PROVIDED
53 THAT AN ERROR MADE IN GOOD FAITH CONCERNING THE IDENTITY OF THE PUBLIC
54 CORPORATION AGAINST WHOM THE CLAIM SHOULD HAVE BEEN ASSERTED MAY BE THE
55 BASIS FOR THE GRANTING OF AN EXTENSION OF TIME TO SERVE A CORRECTED
56 NOTICE OF CLAIM UPON THE PROPER PUBLIC CORPORATION, UNLESS IT CAN BE

1 DEMONSTRATED TO THE COURT THAT THE PROPER PUBLIC CORPORATION SUFFERED
2 SUBSTANTIAL PREJUDICE IN THE INVESTIGATION OR DEFENSE OF THE CLAIM DUE
3 TO THE ERROR; if service of the notice of claim is attempted by elec-
4 tronic means pursuant to paragraph (e) of subdivision three of this
5 section, whether the delay in serving the notice of claim was based upon
6 the failure of the computer system of the city or the claimant or the
7 attorney representing the claimant; that such claimant or attorney, as
8 the case may be, submitted evidence or proof as is reasonable showing
9 that (i) the submission of the claim was attempted to be electronically
10 made in a timely manner and would have been completed but for the fail-
11 ure of the computer system utilized by the sender or recipient, and (ii)
12 that upon becoming aware of both the failure of such system and the
13 failure of the city to receive such submission, the claimant or attorney
14 had insufficient time to make such claim within the permitted time peri-
15 od in a manner as otherwise prescribed by law; and whether the delay in
16 serving the notice of claim substantially prejudiced the public corpo-
17 ration in maintaining its defense on the merits.

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

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

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

37 2. THE SECRETARY OF STATE SHALL DESIGNATE AN OFFICE WITHIN THE DEPART-
38 MENT OF STATE WHEREAT PERSONS ARE ENTITLED BY LAW TO TIMELY SERVE A
39 NOTICE OF CLAIM UPON THE SECRETARY OF STATE AS THE AGENT FOR A PUBLIC
40 CORPORATION AS A CONDITION PRECEDENT TO COMMENCEMENT OF AN ACTION OR
41 PROCEEDING. ALL PUBLIC CORPORATIONS ENTITLED TO HAVE SERVED UPON THEM A
42 NOTICE OF CLAIM AS A CONDITION PRECEDENT TO COMMENCEMENT OF AN ACTION OR
43 PROCEEDING SHALL, NO LATER THAN THIRTY DAYS AFTER THE DATE UPON WHICH
44 THIS SECTION SHALL TAKE EFFECT, FILE A CERTIFICATE WITH THE SECRETARY OF
45 STATE DESIGNATING THE SECRETARY AS THE AGENT FOR SERVICE OF A NOTICE OF
46 CLAIM AND SHALL IN SUCH STATEMENT PROVIDE THE SECRETARY WITH THE NAME
47 AND ADDRESS OF AN OFFICER, PERSON, OR DESIGNEE, NOMINEE OR OTHER AGENT-
48 IN-FACT FOR THE TRANSMITTAL OF NOTICES OF CLAIM SERVED UPON THE SECRE-
49 TARY AS THE PUBLIC CORPORATION'S AGENT. ANY DESIGNATED POST-OFFICE
50 ADDRESS TO WHICH THE SECRETARY OF STATE SHALL MAIL A COPY OF THE NOTICE
51 OF CLAIM SERVED UPON HIM OR HER AS AGENT SHALL CONTINUE TO BE THE
52 ADDRESS TO WHICH SUCH NOTICES SHALL BE MAILED UNTIL THE PUBLIC CORPO-
53 RATION SENDS A NOTICE TO THE SECRETARY INFORMING HIM OR HER OF A NEW
54 ADDRESS TO WHICH SUCH NOTICES SHALL BE MAILED. THE INITIAL FILING WITH
55 THE SECRETARY OF STATE SHALL ALSO CONTAIN THE APPLICABLE TIME LIMIT FOR
56 FILING A NOTICE OF CLAIM UPON THAT PUBLIC CORPORATION, OR IF LATER

1 CHANGED BY STATUTE, A NEW FILING SHALL BE MADE DETAILING THE ALTERED
2 TIME LIMIT. ANY PUBLIC CORPORATION WHO DOES NOT HAVE A CURRENT AND TIME-
3 LY STATUTORY DESIGNATION FILED WITH THE SECRETARY OF STATE SHALL NOT BE
4 ENTITLED TO THE PORTION OF THE FEE TO WHICH IT WOULD OTHERWISE BE ENTI-
5 TLED PURSUANT TO SUBDIVISION FOUR OF THIS SECTION. FAILURE OF THE
6 PUBLIC CORPORATION TO SO FILE WITH THE SECRETARY OF STATE WILL NOT
7 INVALIDATE ANY SERVICE OF A NOTICE OF CLAIM UPON THE PUBLIC CORPORATION
8 WHICH HAS BEEN RECEIVED BY THE SECRETARY OF STATE.

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

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

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

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

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

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

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

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

4 (2) In a case founded upon tort, a notice of claim shall be required
5 as a condition precedent to the commencement of an action or special
6 proceeding against the agency or an officer, appointee or employee ther-
7 eof, and the provisions of section fifty-e of [the general municipal
8 law] THIS CHAPTER shall govern the giving of such notice. No action
9 shall be commenced more than one year AND NINETY DAYS after the cause of
10 action therefor shall have accrued.

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

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

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

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

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

45 2. [An] EXCEPT IN AN ACTION FOR WRONGFUL DEATH, AN action against the
46 authority for damages for injuries to real or personal property, or for
47 the 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 were incurred or sustained, together with a
52 verified statement showing in detail the property alleged to have been
53 damaged or destroyed and the value thereof, or the personal injuries
54 alleged to have been sustained and by whom,] CLAIM shall have been filed
55 [in the principal office of the authority within ninety days after such

1 cause of action shall have accrued] WITHIN THE TIME LIMIT ESTABLISHED BY
2 AND IN COMPLIANCE WITH SECTION FIFTY-E OF THE GENERAL MUNICIPAL LAW.

3 S 11. Subdivision 2 of section 569-a 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,] CLAIM
16 shall have been filed [with the secretary of the authority in the prin-
17 cipal office of the authority within six months after such cause of
18 action shall have accrued] WITHIN THE TIME LIMIT ESTABLISHED BY AND IN
19 COMPLIANCE WITH SECTION FIFTY-E OF THE GENERAL MUNICIPAL LAW. An action
20 against the authority for wrongful death shall be commenced in accord-
21 ance with the notice of claim and time limitation provisions of title
22 eleven of article nine of this chapter.

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

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

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

41 2. An action against the authority for damages for injuries to real or
42 personal property, or for the destruction thereof, or for personal inju-
43 ries, alleged to have been sustained shall not be commenced more than
44 one year and ninety days after the cause of action therefor shall have
45 accrued, nor unless a notice of [intention to commence such action and
46 of the time when and place where the damages 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 in the principal office of the authority within ninety days
51 after such cause of action shall have accrued] CLAIM SHALL HAVE BEEN
52 SERVED WITHIN THE TIME LIMIT ESTABLISHED BY, AND IN COMPLIANCE WITH ALL
53 REQUIREMENTS OF SECTION FIFTY-E OF THE GENERAL MUNICIPAL LAW.

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

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

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

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

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

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

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

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

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

51 1. Except in an action for wrongful death, no action or proceeding
52 shall be prosecuted or maintained against the authority or the water
53 board for personal injury or damage to real or personal property alleged
54 to have been sustained by reason of the negligence or wrongful act of
55 the authority or the board or of any member, officer, agent or employee
56 thereof, unless (i) a notice of claim shall have been made and served

1 upon the authority or the water board, as the case may be, within the
2 time limit by and in compliance with section fifty-e of the general
3 municipal law, (ii) it shall appear by and as an allegation in the
4 complaint or moving papers that at least thirty days have elapsed since
5 the service of such notice and that adjustment or payment thereof has
6 been neglected or refused, and (iii) the action or proceeding shall be
7 commenced within one year AND NINETY DAYS after the happening of the
8 event upon which the claim is based. An action against the authority or
9 water board for wrongful death shall be commenced in accordance with the
10 notice of claim and time limitation provisions of title eleven of arti-
11 cle nine of this chapter.

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

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

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

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

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

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

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

54 1. Except in an action for wrongful death, no action or proceeding
55 shall be prosecuted or maintained against the authority or the water
56 board for personal injury or damage to real or personal property alleged

1 to have been sustained by reason of the negligence or wrongful act of
2 the authority or the water board or of any member, officer, agent or
3 employee thereof, unless (a) a notice of claim shall have been made and
4 served upon the authority or the water board, as the case may be, within
5 the time limit by and in compliance with section fifty-e of the general
6 municipal law, (b) it shall appear by and as an allegation in the
7 complaint or moving papers that at least thirty days have elapsed since
8 the service of such notice and that adjustment or payment thereof has
9 been neglected or refused, and (c) the action or proceeding shall be
10 commenced within one year AND NINETY DAYS after the happening of the
11 event upon which the claim is based. An action against the authority or
12 water board for wrongful death shall be commenced in accordance with the
13 notice of claim and time limitation provisions of title eleven of arti-
14 cle nine of this chapter.

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

18 1. In any case 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 or employee
21 thereof, and the provisions of section fifty-e of the general municipal
22 law shall govern the giving of such notice. EXCEPT IN AN ACTION FOR
23 WRONGFUL DEATH, AN ACTION AGAINST THE AUTHORITY FOR DAMAGES FOR INJURIES
24 TO REAL OR PERSONAL PROPERTY, OR FOR THE DESTRUCTION THEREOF, OR FOR
25 PERSONAL INJURIES, ALLEGED TO HAVE BEEN SUSTAINED, SHALL NOT BE
26 COMMENCED MORE THAN ONE YEAR AND NINETY DAYS AFTER THE CAUSE OF ACTION
27 THEREFOR SHALL HAVE ACCRUED.

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

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

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

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

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

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

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

54 (a) a notice of claim shall have been made and served upon the author-
55 ity within the time limit by and in compliance with section fifty-e of
56 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,

(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, 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:

1 2. An action against the authority founded on tort, except an action
2 for wrongful death, shall not be commenced more than one year AND NINETY
3 DAYS after the cause of action therefor shall have accrued, nor unless a
4 notice of claim shall have been served on the authority within the time
5 limited by and in compliance with all the 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 30. Subdivision 2 of section 1299-rr 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. An action against the authority founded on tort, except an action
14 for wrongful death, shall not be commenced more than one year AND NINETY
15 DAYS after the cause of action therefor shall have accrued, nor unless a
16 notice of claim shall have been served on the authority within the time
17 limited by and in compliance with all the 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 31. Subdivision 2 of section 1317 of the public authorities law, as
23 amended by chapter 804 of the laws of 1990, is amended to read as
24 follows:

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

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

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

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

48 S 1372. Actions against authority. In any case founded upon a tort,
49 except an action for wrongful death, 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. An action against the authori-
53 ty for wrongful death shall be commenced in accordance with the notice
54 of claim and time limitation provisions of title eleven of article nine
55 of this chapter. EXCEPT IN AN ACTION FOR WRONGFUL DEATH, AN ACTION
56 AGAINST THE AUTHORITY FOR DAMAGES FOR INJURIES TO REAL OR PERSONAL PROP-

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

S 1397. Actions against authority. In any case founded upon a tort a notice of claim shall be required as a condition precedent to the commencement of an action or special proceeding against the authority and the provisions of section fifty-e of the general municipal law shall apply. 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 35. Subdivision 2 of section 1416 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 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, nor unless a notice of [intention to commence such action and of the time when and place where the damages or personal injuries were incurred or sustained, together with a verified statement showing in detail the property alleged to have been damaged or destroyed and the value thereof, or the personal injuries alleged to have been sustained and by whom, shall have been filed with the secretary of the authority in the principal office of the authority within six months after such cause of action shall have accrued] CLAIM SHALL HAVE BEEN SERVED ON THE AUTHORITY WITHIN THE TIME LIMIT ESTABLISHED BY, AND IN COMPLIANCE WITH ALL 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 36. Subdivision 2 of section 1420-r 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 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, nor unless a notice of [intention to commence such an action and of the time when and place where the damages or personal injuries were incurred or sustained, together with a verified statement showing in detail the property alleged to have been damaged or destroyed and the value thereof, or the personal injuries alleged to have been sustained and by whom, shall have been filed with the secretary of the authority in the principal office of the authority within six months after such cause of action shall have accrued] CLAIM SHALL HAVE BEEN SERVED ON THE AUTHORITY WITHIN THE TIME LIMIT ESTABLISHED BY, AND IN COMPLIANCE WITH ALL 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.

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

4 2. 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 38. Subdivision 2 of section 1425-q of the public authorities law,
23 as added by chapter 617 of the laws of 1972, is amended to read as
24 follows:

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

40 S 39. Subdivision 2 of section 1440 of the public authorities law, as
41 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 for damages for injuries to real or personal property, or for
45 the destruction thereof, or for personal injuries, alleged to have been
46 sustained, shall not be commenced more than one year AND NINETY DAYS
47 after the cause of action therefor shall have accrued, nor unless a
48 notice of [intention to commence such action and of the time when and
49 place where the damages or personal injuries were incurred or sustained,
50 together with a verified statement showing in detail the property
51 alleged to have been damaged or destroyed and the value thereof, or the
52 personal injuries alleged to have been sustained and by whom, shall have
53 been filed with the secretary of the authority in the principal office
54 of the authority within six months after such cause of action shall have
55 accrued] CLAIM SHALL HAVE BEEN SERVED ON THE AUTHORITY WITHIN THE TIME
56 LIMIT ESTABLISHED BY, AND IN COMPLIANCE WITH ALL REQUIREMENTS OF SECTION

1 FIFTY-E OF THE GENERAL MUNICIPAL LAW. An action against the authority
2 for wrongful death shall be commenced in accordance with the notice of
3 claim and time limitation provisions of title eleven of article nine of
4 this chapter.

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

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

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

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

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

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

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

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

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

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

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

51 S 45. Subdivision 2 of section 1585-q of the public authorities law,
52 as 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 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, shall have
8 been filed with the secretary of the authority in the principal office
9 of the authority within six months after such cause of action shall have
10 accrued] CLAIM SHALL HAVE BEEN SERVED ON THE AUTHORITY WITHIN THE TIME
11 LIMIT ESTABLISHED BY AND IN COMPLIANCE WITH ALL REQUIREMENTS OF SECTION
12 FIFTY-E OF THE GENERAL MUNICIPAL LAW. An action against the authority
13 for wrongful death shall be commenced in accordance with the notice of
14 claim and time limitation provisions of title eleven of article nine of
15 this chapter.

16 S 46. Subdivision 2 of section 1590-q 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 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 47. Subdivision 2 of section 1595-q of the public authorities law,
38 as added by chapter 1024 of the laws of 1968, is amended to read as
39 follows:

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

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

4 2. 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 an 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 49. Subdivision 2 of section 1597-p of the public authorities law,
23 as amended by chapter 804 of the laws of 1990, is amended to read as
24 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 50. Subdivision 2 of section 1598-p 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 51. Subdivision (b) of section 1599-qq of the public authorities
9 law, as amended by chapter 804 of the laws of 1990, is amended to read
10 as follows:

11 (b) 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 52. Subdivision 2 of section 1599-qqqq of the public authorities
30 law, as amended by chapter 804 of the laws of 1990, is amended to read
31 as 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 53. Subdivision 2 of section 1600-qq 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 54. Subdivision 2 of section 1617 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, an action against the
19 authority for damages for injuries to real or personal property, or for
20 the destruction thereof, or for personal injuries, alleged to have been
21 sustained, shall not be commenced more than one year AND NINETY DAYS
22 after the cause of action therefor shall have accrued, nor unless a
23 notice of [intention to commence such action and of the time when and
24 place where the damages or personal injuries were incurred or sustained,
25 together with a verified statement showing in detail the property
26 alleged to have been damaged or destroyed and the value thereof, or the
27 personal injuries alleged to have been sustained and by whom, shall have
28 been filed with the secretary of the authority in the principal office
29 of the authority within six months after such cause of action shall have
30 accrued] CLAIM SHALL HAVE BEEN SERVED ON THE AUTHORITY WITHIN THE TIME
31 LIMIT ESTABLISHED BY AND IN COMPLIANCE WITH ALL REQUIREMENTS OF SECTION
32 FIFTY-E OF THE GENERAL MUNICIPAL LAW. An action against the authority
33 for wrongful death shall be commenced in accordance with the notice of
34 claim and time limitation provisions of title eleven of article nine of
35 this chapter.

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

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

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

4 2. 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 an 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 57. Subdivision 2 of section 1777 of the public authorities law, as
23 amended by chapter 804 of the laws of 1990, is amended to read as
24 follows:

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

35 S 58. Subdivision 2 of section 1918 of the public authorities law, as
36 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 founded on tort shall not be commenced more than one year AND
40 NINETY DAYS after the cause of action therefor shall have accrued, nor
41 unless a notice of claim shall have been served on the authority within
42 the time limited by, and in compliance with all the requirements of
43 section fifty-e of the general municipal law. An action against the
44 authority for wrongful death shall be commenced in accordance with the
45 notice of claim and time limitation provisions of title eleven of arti-
46 cle nine of this chapter.

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

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

1 notice of claim and time limitation provisions of title eleven of arti-
2 cle nine of this chapter.

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

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

12 S 61. Section 1984 of the public authorities law, as amended by chap-
13 ter 804 of the laws of 1990, is amended to read as follows:

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

27 S 62. Section 2032 of the public authorities law, as added by chapter
28 745 of the laws of 1969, is amended to read as follows:

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

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

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

51 S 64. Subdivision 2 of section 2046-i of the public authorities law,
52 as 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 agen-
55 cy founded on tort shall not be commenced more than one year AND NINETY
56 DAYS after the cause of action therefor shall have accrued, nor unless a

1 notice of claim shall have been served on the agency within the time
2 limited by and in compliance with all the requirements of section
3 fifty-e of the general municipal law. An action against the agency 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 this
6 chapter.

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

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

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

21 2. In a case founded upon tort, a notice of claim shall be required as
22 a condition precedent to the commencement of an action or special
23 proceeding against the authority or an 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. No action shall be commenced
26 more than one year AND NINETY DAYS after the cause of action therefor
27 shall have accrued.

28 S 67. Section 2416 of the public authorities law, as added by chapter
29 612 of the laws of 1970, the closing paragraph as amended by chapter 804
30 of the laws of 1990, is amended to read as follows:

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

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

45 S 68. Section 2447 of the public authorities law, as added by chapter
46 902 of the laws of 1972, the closing paragraph as amended by chapter 804
47 of the laws of 1990, is amended to read as follows:

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

53 Except in an action for wrongful death, no action shall be commenced
54 (a) prior to the expiration of thirty days from the date on which the
55 demand, claim or claims upon which the action is founded were presented
56 to a director of the agency or other officer thereof designated for such

purpose nor (b) more than one year AND NINETY DAYS after the cause of action therefor shall have accrued. 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.

S 69. Section 2570 of the public authorities law, as amended by chapter 804 of the laws of 1990, is amended to read as follows:

S 2570. Actions. A notice of claim, served in accordance with the provisions of section fifty-e of the general municipal law, shall be a condition precedent to the commencement of an action against the corporation, its directors, officers, employees or agents. No such action shall be commenced more than one year AND NINETY DAYS after it has accrued, except that 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 70. Subdivision 2 of section 2638 of the public authorities law, as amended by chapter 804 of the laws of 1990, is amended to read as follows:

2. In a 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 commission 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, except an action against the commission 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 71. Subdivision 2 of section 376-a of the education 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 fund 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, nor unless a notice of [intention to commence such action and of the time when and place where the damages or personal injuries were incurred or sustained, together with a verified statement showing in detail the property alleged to have been damaged or destroyed and the value thereof, or the personal injuries, alleged to have been sustained, and by whom, shall have been filed with a trustee or officer of the fund in the principal office of the fund within ninety days after such cause of action shall have accrued] CLAIM SHALL HAVE BEEN SERVED ON THE FUND WITHIN THE TIME LIMIT ESTABLISHED BY, AND IN COMPLIANCE WITH ALL REQUIREMENTS OF SECTION FIFTY-E OF THE GENERAL MUNICIPAL LAW. An action against the fund for wrongful death shall be commenced in accordance with the notice of claim and time limitation provisions of title eleven of article nine of the public authorities law.

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

3. Except in an action for wrongful death, an action against the fund 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, nor unless a notice of [intention to commence such action and of the time when and place where the damages or personal injuries were incurred or sustained,

1 together with a verified statement showing in detail the property
2 alleged to have been damaged or destroyed and the value thereof, or the
3 personal injuries, alleged to have been sustained, and by whom, shall
4 have been filed with a trustee or officer of the fund in the principal
5 office of the fund within ninety days after such cause of action shall
6 have accrued] CLAIM SHALL HAVE BEEN SERVED ON THE FUND WITHIN THE TIME
7 LIMIT ESTABLISHED BY, AND IN COMPLIANCE WITH ALL REQUIREMENTS OF SECTION
8 FIFTY-E OF THE GENERAL MUNICIPAL LAW. An action against the fund for
9 wrongful death shall be commenced in accordance with the notice of claim
10 and time limitation provisions of title eleven of article nine of the
11 public authorities law.

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

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

32 S 74. Section 41.29 of the mental hygiene law, as amended by chapter
33 588 of the laws of 1973 and as renumbered by chapter 978 of the laws of
34 1977, is amended to read as follows:

35 S 41.29 Liability of local government.

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

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

1 1. Except in an action for wrongful death, in any case founded upon
2 tort a notice of claim shall be required as a condition precedent to the
3 commencement of an action or special proceeding against the corporation,
4 any of its subsidiary corporations, or any officer, appointee or employ-
5 ee thereof, and the provisions of section fifty-e of the general municipi-
6 pal law shall govern the giving of such notice. An action for wrongful
7 death shall be commenced in accordance with the notice of claim and time
8 limitation provisions of title eleven of article nine of the public
9 authorities law. ANY OTHER ACTION AGAINST THE CORPORATION, ANY OF ITS
10 SUBSIDIARY CORPORATIONS, OR ANY OTHER OFFICER, APPOINTEE OR EMPLOYEE
11 THEREOF FOR DAMAGES FOR INJURIES TO REAL OR PERSONAL PROPERTY, OR FOR
12 THE DESTRUCTION THEREOF, OR FOR PERSONAL INJURIES, ALLEGED TO HAVE BEEN
13 SUSTAINED, SHALL NOT BE COMMENCED MORE THAN ONE YEAR AND NINETY DAYS
14 AFTER THE CAUSE OF ACTION THEREFOR SHALL HAVE ACCRUED.

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

19 3. Except in an action for wrongful death, an action against the
20 corporation for damages for injuries to real or personal property, or
21 for the destruction thereof, or for personal injuries, alleged to have
22 been sustained, shall not be commenced more than one year and ninety
23 days after the cause of action therefor shall have accrued, nor unless a
24 notice of [intention to commence such 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
29 have been filed with a member or officer of the corporation in the prin-
30 cipal office of the corporation within ninety days after such cause of
31 action shall have accrued] CLAIM SHALL HAVE BEEN SERVED ON THE CORPO-
32 RATION WITHIN THE TIME LIMIT ESTABLISHED BY AND IN COMPLIANCE WITH ALL
33 REQUIREMENTS OF SECTION FIFTY-E OF THE GENERAL MUNICIPAL LAW. An action
34 against the corporation for wrongful death shall be commenced in accord-
35 ance with the notice of claim and time limitation provisions of title
36 eleven of article nine of the public authorities law.

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

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

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

51 ARTICLE XI-A

52 NOTWITHSTANDING ANY OTHER PROVISION OF LAW TO THE CONTRARY, EVERY
53 ACTION AGAINST THE AUTHORITY FOR DAMAGES OR INJURIES TO REAL OR PERSONAL
54 PROPERTY, OR FOR THE DESTRUCTION THEREOF, OR FOR PERSONAL INJURIES OR
55 WRONGFUL DEATH SHALL NOT BE COMMENCED UNLESS A NOTICE OF CLAIM SHALL
56 HAVE BEEN SERVED ON THE AUTHORITY IN THE MANNER PROVIDED FOR IN THE

1 STATE WHERE THE ACTION IS COMMENCED, AND IN COMPLIANCE WITH THE PERTI-
2 NENT STATUTES OF THE STATE RELATING GENERALLY TO ACTIONS COMMENCED
3 AGAINST THAT STATE AND IN COMPLIANCE WITH ALL THE REQUIREMENTS OF THE
4 LAWS OF THAT STATE. WHERE SUCH STATE'S LAW PERMITS SERVICE UPON A
5 DEPARTMENT OF THAT STATE IN LIEU OF SERVICE UPON THE PUBLIC ENTITY,
6 SERVICE MAY BE MADE PURSUANT TO SUCH LAW. EXCEPT IN AN ACTION FOR WRONG-
7 FUL DEATH AGAINST SUCH AN ENTITY, AN ACTION FOR DAMAGES OR FOR INJURIES
8 TO REAL OR PERSONAL PROPERTY, OR FOR THE DESTRUCTION THEREOF, OR FOR
9 PERSONAL INJURIES, ALLEGED TO HAVE BEEN SUSTAINED, SHALL NOT BE
10 COMMENCED MORE THAN ONE YEAR AND NINETY DAYS AFTER THE CAUSE OF ACTION
11 THEREFOR SHALL HAVE ACCRUED OR WITHIN THE TIME PERIOD OTHERWISE
12 PRESCRIBED BY ANY SPECIAL PROVISION OF LAW OF THAT STATE, WHICHEVER IS
13 LONGER.

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