

STATE OF NEW YORK

4104

2019-2020 Regular Sessions

IN ASSEMBLY

February 1, 2019

Introduced by M. of A. MONTESANO -- read once and referred to the
Committee on Judiciary

AN ACT to amend the civil practice law and rules, in relation to prohibiting affirmative defenses in certain defamation actions

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

1 Section 1. Section 3018 of the civil practice law and rules is amended
2 by adding a new subdivision (c) to read as follows:

3 (c) Defamation. However, qualified privilege shall not be an affirma-
4 tive defense to defamation if the statements giving rise to the claim
5 are made in the course of a judicial proceeding or a quasi-judicial
6 proceeding and are not pertinent or cannot be deemed relevant despite
7 every liberality of interpretation to such proceedings.

8 § 2. This act shall take effect immediately; provided, however, the
9 provisions contained in subdivision (c) of section 3018 of the civil
10 practice law and rules shall apply to actions commenced on or before the
11 effective date of this act.

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

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