S T A T E O F N E W Y O R K

3876

2009-2010 Regular Sessions

I N A S S E M B L Y

January 28, 2009

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

AN ACT to amend the uniform justice court act, in relation to civil jurisdictional limits

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

Section 1. Subdivision a of section 201 of the uniform justice court act, as amended by chapter 685 of the laws of 1977, is amended to read as follows:

a. The court shall have jurisdiction as set forth in this article and as elsewhere provided by law[, subject, in the case of a city court governed by this act, to the limitations stated in S 2300 (b) (2) (i) of this act]. The phrase "[$3000] $5000", whenever it appears herein, shall be taken to mean "[$3000] $5000 exclusive of interest and costs"[, except that, in the case of a city court governed by this act whose monetary jurisdiction is, pursuant to S 2300 (b) (2) (i) of this act, below $3000, it shall be taken to mean such lesser sum as is applicable in the particular court, exclusive of interest and costs].

S 2. Section 202 of the uniform justice court act, as amended by chapter 685 of the laws of 1977, is amended to read as follows:

S 202. Money actions and actions to recover chattels.

Notwithstanding any other provision of law, the court shall have jurisdiction of actions and proceedings for the recovery of money or chattels where the amount sought to be recovered or the value of the property does not exceed [$3000] $5000.

S 3. Section 1801 of the uniform justice court act, as amended by chapter 76 of the laws of 1994, is amended to read as follows:

S 1801. Small claims defined.

The term "small claim" or "small claims" as used in this act shall mean and include any cause of action for money only not in excess of [three] FIVE thousand dollars exclusive of interest and costs, provided

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

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that the defendant either resides, or has an office for the transaction of business or a regular employment, within the municipality where the court is located. However, where a judge of the county court, pursuant to subdivision (g) of section three hundred twenty-five of the civil practice law and rules, transfers a small claim from the town or village court having jurisdiction over the matter to another town or village court within the same county, the court to which it is transferred shall have jurisdiction to determine the claim.

S 4. This act shall take effect on the first of January next succeeding the date on which it shall have become a law and shall apply to actions or proceedings filed on or after such date.