

4591

2009-2010 Regular Sessions

I N A S S E M B L Y

February 5, 2009

Introduced by M. of A. COOK -- read once and referred to the Committee
on Codes

AN ACT to amend the civil practice law and rules, in relation to statu-
tory stays on appeal in certain cases

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

1 Section 1. Subdivision (a) of section 5519 of the civil practice law
2 and rules is amended by adding a new closing paragraph to read as
3 follows:
4 NOTWITHSTANDING THE FOREGOING, THE PROVISIONS OF THIS SUBDIVISION
5 SHALL NOT APPLY TO A JUDGMENT, ORDER OR DECREE ISSUED IN A MATRIMONIAL
6 ACTION THAT INCLUDES PROVISIONS FOR MAINTENANCE OR CHILD SUPPORT, AS
7 THOSE TERMS ARE DEFINED IN SECTION TWO HUNDRED THIRTY-SIX OF THE DOMES-
8 TIC RELATIONS LAW.
9 S 2. This act shall take effect immediately and shall apply to all
10 matrimonial actions whenever commenced; except that, where enforcement
11 of a judgment, order or decree has been stayed pursuant to subdivision
12 (a) of section 5519 of the civil practice law and rules prior to such
13 effective date, such stay shall continue in effect in accordance with
14 law then in effect.

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

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