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

7701

2009-2010 Regular Sessions

I N A S S E M B L Y

April 22, 2009

Introduced by M. of A. QUINN, FINCH, McDONOUGH, ERRIGO, HAWLEY, GABRYSZAK -- Multi-Sponsored by -- M. of A. BACALLES, CALHOUN, GIGLIO, KOLB, MOLINARO, THIELE, TOWNSEND, WALKER -- read once and referred to the Committee on Judiciary

AN ACT to amend the uniform justice court act, in relation to jurisdiction of the justice courts

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 S2300 (b) (2) (i) of this act. The phrase "[$3000] $6000", whenever it appears herein, shall be taken to mean "[$3000] $6000 exclusive of interest and costs", except that, in the case of a city court governed by this act whose monetary jurisdiction is, pursuant to S2300 (b) (2) (i) of this act, below [$3000] $6000, 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] $6000.

S 3. Section 208 of the uniform justice court act, as amended by chapter 685 of the laws of 1977, is amended to read as follows:

S 208. Counterclaims.

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

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The [Court] COURT shall have jurisdiction of any counterclaim whose subject matter would be within its jurisdiction if sued upon separately. If a counterclaim for money only in excess of [$3000] $6000 is interposed, the court may entertain it to the extent of [$3000] $6000 but it shall be deemed waived as to the excess above [$3000] $6000.

S 4. Section 211 of the uniform justice court act, as amended by chapter 685 of the laws of 1977, is amended to read as follows:

S 211. Joinder of causes of action in complaint; effect on jurisdiction.

Where several causes of action are asserted in the complaint, and each of them would be within the jurisdiction of the court if sued upon separately, the court shall have jurisdiction of the action. In such case judgment may be rendered by the court in excess of [$3000] $6000 if such excess result solely because of such joinder.

S 5. This act shall take effect on the ninetieth day after it shall have become a law.