

7958

2009-2010 Regular Sessions

I N   A S S E M B L Y

April 29, 2009

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Introduced by M. of A. CYMBROWITZ -- (at request of the Office of Court Administration) -- read once and referred to the Committee on Codes

AN ACT to amend the civil practice law and rules, in relation to commencement of a special proceeding

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

1     Section 1. Paragraph 1 of subdivision (b) of section 506 of the civil  
2     practice law and rules is amended to read as follows:  
3     1. a proceeding against a justice of the supreme court [or], a judge  
4     of a county court, A JUDGE OF A FAMILY COURT, A JUDGE OF THE COURT OF  
5     CLAIMS or [the court of general sessions] A JUDGE OF A SURROGATE'S COURT  
6     shall be commenced in the appellate division in the judicial department  
7     where the action, in the course of which the matter sought to be  
8     enforced or restrained originated, is triable, unless a term of the  
9     appellate division in that department is not in session, in which case  
10    the proceeding may be commenced in the appellate division in an adjoining  
11    judicial department; and  
12    S 2. This act shall take effect immediately and shall apply to all  
13    proceedings commenced on or after such effective date.

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

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