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

5197

2009-2010 Regular Sessions

I N A S S E M B L Y

February 11, 2009

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

AN ACT to amend the civil practice law and rules, in relation to the venue for certain special proceedings

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

Section 1. Paragraph 2 of subdivision (b) of section 506 of the civil practice law and rules, as amended by chapter 47 of the laws of 1992, is amended to read as follows:

2. a proceeding against the regents of the university of the state of New York, the commissioner of education, the commissioner of taxation and finance, the tax appeals tribunal, except as provided in section two thousand sixteen of the tax law, the public service commission, the commissioner or the department of transportation relating to [articles] ARTICLE three, four, five, six, seven, eight, nine, or ten of the transportation law or to the railroad law, the water resources board, the comptroller, or the department of agriculture and markets[, shall] MAY be commenced in the supreme court, Albany county OR IN THE JUDICIAL DISTRICT IN WHICH THE PETITIONER RESIDES OR HAS ITS PRINCIPAL PLACE OF BUSINESS; PROVIDED, HOWEVER, THAT A PROCEEDING AGAINST THE PUBLIC SERVICE COMMISSION SHALL ONLY BE COMMENCED IN THE SUPREME COURT, ALBANY COUNTY.

S 2. This act shall take effect immediately.

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

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