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

6922

2009-2010 Regular Sessions

I N A S S E M B L Y

March 17, 2009

Introduced by M. of A. WEINSTEIN -- Multi-Sponsored by -- M. of A. TITONE, ZEBROWSKI -- (at request of the Office of Court Administration) -- read once and referred to the Committee on Judiciary

AN ACT to amend the civil practice law and rules, in relation to enforcement of state court judgments

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

Section 1. Section 5203 of the civil practice law and rules is amended by adding a new subdivision (c) to read as follows:

(C) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, WHERE A COURT MAKES AN ORAL OR WRITTEN DETERMINATION ON THE RECORD AWARDING OWNERSHIP OF AN INTEREST IN REAL PROPERTY, AND A JUDGMENT EFFECTUATING SUCH DETERMINATION IS DOCKETED WITH THE CLERK OF THE COUNTY IN WHICH SUCH PROPERTY IS LOCATED NOT LATER THAN THIRTY DAYS THEREAFTER, SUCH JUDGEMENT SHALL BE DEEMED ENTERED AND DOCKETED ON THE DAY IMMEDIATELY PRECEDING THE DATE OF SUCH DETERMINATION SOLELY FOR PURPOSES OF ESTABLISHING THE PRIORITY THEREOF AGAINST A JUDICIAL LIEN ON SUCH PROPERTY CREATED UPON THE SIMULTANEOUS OR LATER FILING OF A PETITION IN BANKRUPTCY PURSUANT TO THE UNITED STATES BANKRUPTCY CODE, AS AMENDED.

S 2. This act shall take effect immediately and shall apply to all actions and proceedings pending or commenced on or after such date.

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

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