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

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I N A S S E M B L Y

January 21, 2010

Introduced by M. of A. ESPAILLAT, ORTIZ, TOWNS, CUSICK, PARMENT, NOLAN -- Multi-Sponsored by -- M. of A. MAGNARELLI, McENENY, PHEFFER -- read once and referred to the Committee on Veterans' Affairs

AN ACT to amend chapter 266 of the laws of 1981, amending the civil practice law and rules relating to time limitations, in relation to extending time limitations for certain actions

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

Section 1. Section 4 of chapter 266 of the laws of 1981, amending the civil practice law and rules relating to time limitations, as amended by chapter 143 of the laws of 2008, is amended to read as follows:

S 4. Every cause of action for an injury or death caused by contact with or exposure to phenoxy herbicides while serving as a member of the armed forces of the United States in Indo-China from February 28, 1961 through May 7, 1975, which is or would be barred prior to June 16, 1985, because the applicable period of limitation has expired is hereby revived and extended and any action thereon may be commenced and prosecuted provided such action is commenced not later than June 16, [2010] 2012.

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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