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

3976

2009-2010 Regular Sessions

I N S E N A T E

April 7, 2009

Introduced by Sen. OPPENHEIMER -- read twice and ordered printed, and when printed to be committed to the Committee on Codes

AN ACT to amend the civil practice law and rules, in relation to statute of limitations for certain overcharges

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

Section 1. Section 212 of the civil practice law and rules is amended by adding a new subdivision (e) to read as follows:

(E) OVERCHARGE BASED ON MISTAKE OR BILLING ERROR. AN ACTION TO RECOVER THE AMOUNT OF AN OVERCHARGE BASED UPON A MISTAKE OR BILLING ERROR MADE BY AN ELECTRIC, GAS, OR TELEPHONE CORPORATION MUST BE COMMENCED WITHIN TEN YEARS.

S 2. This act shall take effect immediately and shall apply to all causes of action occurring 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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