

4536

2009-2010 Regular Sessions

I N S E N A T E

April 24, 2009

Introduced by Sen. SAMPSON -- (at request of the Office of Court Administration) -- 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 enforcement of state court judgments

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

1 Section 1. Section 5203 of the civil practice law and rules is amended
2 by adding a new subdivision (c) to read as follows:
3 (C) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, WHERE A COURT MAKES AN
4 ORAL OR WRITTEN DETERMINATION ON THE RECORD AWARING OWNERSHIP OF AN
5 INTEREST IN REAL PROPERTY, AND A JUDGMENT EFFECTUATING SUCH DETERMI-
6 NATION IS DOCKETED WITH THE CLERK OF THE COUNTY IN WHICH SUCH PROPERTY
7 IS LOCATED NOT LATER THAN THIRTY DAYS THEREAFTER, SUCH JUDGEMENT SHALL
8 BE DEEMED ENTERED AND DOCKETED ON THE DAY IMMEDIATELY PRECEDING THE DATE
9 OF SUCH DETERMINATION SOLELY FOR PURPOSES OF ESTABLISHING THE PRIORITY
10 THEREOF AGAINST A JUDICIAL LIEN ON SUCH PROPERTY CREATED UPON THE SIMUL-
11 TANEIOUS OR LATER FILING OF A PETITION IN BANKRUPTCY PURSUANT TO THE
12 UNITED STATES BANKRUPTCY CODE, AS AMENDED.
13 S 2. This act shall take effect immediately and shall apply to all
14 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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