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

6360

2009-2010 Regular Sessions

I N S E N A T E

December 28, 2009

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

AN ACT to amend the civil practice law and rules, in relation to attachments

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

Section 1. The civil practice law and rules is amended by adding a new section 6205 to read as follows:

S 6205. POST JUDGMENT ORDER OF ATTACHMENT IN CERTAIN CASES. A POST JUDGMENT ORDER OF ATTACHMENT MAY BE GRANTED WITHOUT NOTICE IN ANY ACTION WHERE A PARTY HAS BEEN AWARDED A MONEY JUDGMENT AGAINST A FOREIGN STATE, AS DEFINED IN 28 UNITED STATES CODE SECTION 1603, WITH RESPECT TO SPECIFIC IDENTIFIABLE PROPERTY OF, OR DEBT OWED TO, THE FOREIGN STATE UPON A SHOWING BY THE PARTY THAT A REASONABLE BASIS EXISTS FOR DELAYING THE ISSUANCE OF EXECUTION WITH RESPECT TO SUCH PROPERTY OR DEBT.

S 2. This act shall take effect immediately.

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

LBD15281-01-9