

10005

I N A S S E M B L Y

May 1, 2012

Introduced by M. of A. BUTLER -- read once and referred to the Committee on Judiciary

AN ACT to amend the New York city civil court act, the uniform city court act, the uniform district court act and the uniform justice court act, in relation to the location of a small claims proceeding

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

1 Section 1. Section 1801 of the New York city civil court act, as
2 amended by chapter 65 of the laws of 2010, is amended to read as
3 follows:

4 S 1801. Small claims defined. The term "small claim" or "small claims"
5 as used in this act shall mean and include any cause of action for money
6 only not in excess of five thousand dollars exclusive of interest and
7 costs, or any action commenced by a party aggrieved by an arbitration
8 award rendered pursuant to part 137 of the rules of the chief adminis-
9 trator of the courts (22 NYCRR Part 137) in which the amount in dispute
10 does not exceed five thousand dollars, provided that the defendant
11 either resides, or has an office for the transaction of business or a
12 regular employment, OR THE CLAIM AROSE within the city of New York.

13 S 2. Section 1801 of the uniform city court act, as amended by chapter
14 65 of the laws of 2010, is amended to read as follows:

15 S 1801. Small claims defined.

16 The term "small claim" or "small claims" as used in this act shall
17 mean and include any cause of action for money only not in excess of
18 five thousand dollars exclusive of interest and costs, or any action
19 commenced by a party aggrieved by an arbitration award rendered pursuant
20 to part 137 of the rules of the chief administrator of the courts (22
21 NYCRR Part 137) in which the amount in dispute does not exceed \$5,000,
22 provided that the defendant either resides, or has an office for the
23 transaction of business or a regular employment, OR THE CLAIM AROSE
24 within the county.

25 S 3. Section 1801 of the uniform district court act, as amended by
26 chapter 65 of the laws of 2010, is amended to read as follows:

27 S 1801. Small claims defined.

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

1 The term "small claim" or "small claims" as used in this act shall
2 mean and include any cause of action for money only not in excess of
3 five thousand dollars exclusive of interest and costs, or any action
4 commenced by a party aggrieved by an arbitration award rendered pursuant
5 to part one hundred thirty-seven of the rules of the chief administrator
6 of the courts (22 NYCRR Part 137) in which the amount in dispute does
7 not exceed five thousand dollars, provided that the defendant either
8 resides, or has an office for the transaction of business or a regular
9 employment, OR THE CLAIM AROSE within a district of the court in the
10 county.

11 S 4. Section 1801 of the uniform justice court act, as amended by
12 chapter 76 of the laws of 1994, is amended to read as follows:

13 S 1801. Small claims defined.

14 The term "small claim" or "small claims" as used in this act shall
15 mean and include any cause of action for money only not in excess of
16 three thousand dollars exclusive of interest and costs, provided that
17 the defendant either resides, or has an office for the transaction of
18 business or a regular employment, OR THE CLAIM AROSE within the munici-
19 pality where the court is located. However, where a judge of the county
20 court, pursuant to subdivision (g) of section three hundred twenty-five
21 of the civil practice law and rules, transfers a small claim from the
22 town or village court having jurisdiction over the matter to another
23 town or village court within the same county, the court to which it is
24 transferred shall have jurisdiction to determine the claim.

25 S 5. This act shall take effect immediately.