

7452

2011-2012 Regular Sessions

I N A S S E M B L Y

May 4, 2011

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

AN ACT to amend the civil practice law and rules, in relation to allow-
ing fees to be charged in connection with the service of information
subpoenas

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

1 Section 1. Subdivision (b) of rule 5224 of the civil practice law and
2 rules, as amended by chapter 302 of the laws of 1994, is amended to read
3 as follows:
4 (b) Fees. A judgment debtor served with a subpoena under this [section
5 and any] RULE SHALL NOT BE ENTITLED TO ANY FEE. ANY other person served
6 with an information subpoena shall [not be entitled to any fee] BE PAID
7 IN ADVANCE THE SUM OF TEN DOLLARS, EXCEPT THAT A PERSON SERVED WITH AN
8 INFORMATION SUBPOENA SHALL NOT BE ENTITLED TO A FEE WHERE THE STATE, A
9 MUNICIPALITY, OR AN AGENCY OR OFFICER OF THE STATE OR A MUNICIPALITY, IS
10 THE JUDGMENT CREDITOR. Any other person served with a subpoena requir-
11 ing attendance or the production of books and papers shall be paid or
12 tendered in advance authorized traveling expenses and one day's witness
13 fee.
14 S 2. This act shall take effect on the first of January next succeed-
15 ing the date on which it shall have become a law.

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

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