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

7572

I N S E N A T E

June 5, 2012

Introduced by COMMITTEE ON RULES -- (at request of the Office of Court Administration) -- 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 affirmations in a civil action

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

Section 1. Rule 2106 of the civil practice law and rules, as amended by judicial conference proposal number 3 for the year 1973, is amended to read as follows:

Rule 2106. Affirmation of truth of statement [by attorney, physician, osteopath or dentist]. The statement of [an attorney admitted to practice in the courts of the state, or of a physician, osteopath or dentist, authorized by law to practice in the state, who is not a party to an action] ANY PERSON, when subscribed and affirmed by [him] THAT PERSON to be true under the penalties of perjury, may be [served or filed] USED in [the] AN action in lieu of and with the same force and effect as an affidavit. SUCH AFFIRMATION SHALL BE IN SUBSTANTIALLY THE FOLLOWING FORM:

"I AFFIRM THIS _____ DAY OF _____, ____, UNDER THE PENALTIES OF PERJURY, WHICH MAY INCLUDE A FINE OR IMPRISONMENT, THAT THE FOREGOING IS TRUE, AND I UNDERSTAND THAT THIS DOCUMENT MAY BE FILED IN AN ACTION OR PROCEEDING IN A COURT OF LAW.

(SIGNATURE)"

S 2. This act shall take effect on the first of January next succeeding 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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