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

2020

2011-2012 Regular Sessions

I N A S S E M B L Y

January 13, 2011

Introduced by M. of A. GUNTHER, GLICK, PAULIN, ENGLEBRIGHT, GABRYSZAK, ROSENTHAL, M. MILLER, ORTIZ -- Multi-Sponsored by -- M. of A. McENENY -- read once and referred to the Committee on Codes

AN ACT to amend the civil practice law and rules, in relation to exempting parties liable for failure to obey or enforce certain orders of protection or temporary orders of protection in domestic violence or domestic relations matters from the provisions of article sixteen of such law, entitled "limited liability of persons jointly liable"

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

Section 1. Section 1602 of the civil practice law and rules is amended by adding a new subdivision 14 to read as follows:

14. NOT APPLY TO ANY PARTY HELD LIABLE FOR CLAIMS ARISING FROM THE FAILURE TO OBEY OR ENFORCE (A) AN ORDER OF PROTECTION OR A TEMPORARY ORDER OF PROTECTION ISSUED OR MODIFIED PURSUANT TO ARTICLE FOUR, FIVE, SIX, EIGHT, OR TEN OF THE FAMILY COURT ACT, SECTION 530.12 OF THE CRIMINAL PROCEDURE LAW, SECTION TWO HUNDRED FORTY OR TWO HUNDRED FIFTY-TWO OF THE DOMESTIC RELATIONS LAW, OR (B) AN ORDER OF PROTECTION OR TEMPORARY ORDER OF PROTECTION ISSUED OR MODIFIED BY A COURT OF COMPETENT JURISDICTION IN ANOTHER STATE, TERRITORIAL, OR TRIBAL JURISDICTION.

S 2. This act shall take effect immediately.

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

LBD02567-01-1