

8622

2011-2012 Regular Sessions

I N   A S S E M B L Y

September 21, 2011

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

AN ACT to amend the domestic relations law, in relation to excluding the  
right to a jury trial for no fault divorce actions

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

1     Section 1. Section 173 of the domestic relations law, as amended by  
2 chapter 254 of the laws of 1966, is amended to read as follows:

3     S 173. Jury trial. In an action for divorce there is a right to trial  
4 by jury of the issues of the grounds for granting the divorce, PROVIDED,  
5 HOWEVER, THE PROVISIONS OF THIS SECTION SHALL NOT APPLY TO THE GROUND  
6 FOR DIVORCE DESCRIBED IN SUBDIVISION SEVEN OF SECTION ONE HUNDRED SEVEN-  
7 TY OF THIS ARTICLE.

8     S 2. This act shall take effect immediately.

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

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