

7641

I N S E N A T E

June 11, 2012

Introduced by Sen. MARTINS -- read twice and ordered printed, and when printed to be committed to the Committee on Rules

AN ACT to amend the general municipal law, the environmental conservation law, the public authorities law, the education law, the mental hygiene law, the private housing finance law, the facilities development corporation act, the administrative code of the city of New York, chapter 154 of the laws of 1921 relating to the port authority of New York and New Jersey, and the civil practice law and rules, in relation to establishing a uniform process and requirement for the filing of notices of claim prior to the commencement of a cause of action against any state or municipal entity, public authority or public benefit corporation

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

1 Section 1. This act shall be known and may be cited as the "uniform
2 notice of claim act".
3 S 2. The civil practice law and rules is amended by adding a new
4 section 217-a to read as follows:
5 S 217-A. ACTIONS TO BE COMMENCED WITHIN ONE YEAR AND NINETY DAYS.
6 NOTWITHSTANDING ANY OTHER PROVISION OF LAW TO THE CONTRARY, AND IRRE-
7 SPECTIVE OF WHETHER THE RELEVANT STATUTE IS EXPRESSLY AMENDED BY
8 SECTIONS ONE THROUGH SEVENTY-SIX OF THE CHAPTER OF THE LAWS OF TWO THOU-
9 SAND TWELVE WHICH ADDED THIS SECTION, EVERY ACTION FOR DAMAGES OR INJU-
10 RIES TO REAL OR PERSONAL PROPERTY, OR FOR THE DESTRUCTION THEREOF, OR
11 FOR PERSONAL INJURIES OR WRONGFUL DEATH, AGAINST ANY POLITICAL SUBDIVI-
12 SION OF THE STATE, OR ANY INSTRUMENTALITY OR AGENCY OF THE STATE OR A
13 POLITICAL SUBDIVISION, ANY PUBLIC AUTHORITY OR ANY PUBLIC BENEFIT CORPO-
14 RATION THAT IS ENTITLED TO RECEIVE A NOTICE OF CLAIM AS A CONDITION
15 PRECEDENT TO COMMENCEMENT OF AN ACTION, SHALL NOT BE COMMENCED UNLESS A
16 NOTICE OF CLAIM SHALL HAVE BEEN SERVED ON SUCH GOVERNMENTAL ENTITY WITH-
17 IN THE TIME LIMIT ESTABLISHED BY, AND IN COMPLIANCE WITH ALL THE
18 REQUIREMENTS OF SECTION FIFTY-E OF THE GENERAL MUNICIPAL LAW. EXCEPT IN
19 AN ACTION FOR WRONGFUL DEATH AGAINST SUCH AN ENTITY, AN ACTION FOR
20 DAMAGES OR FOR INJURIES TO REAL OR PERSONAL PROPERTY, OR FOR THE

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

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1 DESTRUCTION THEREOF, OR FOR PERSONAL INJURIES, ALLEGED TO HAVE BEEN
2 SUSTAINED, SHALL NOT BE COMMENCED MORE THAN ONE YEAR AND NINETY DAYS
3 AFTER THE CAUSE OF ACTION THEREFOR SHALL HAVE ACCRUED OR WITHIN THE TIME
4 PERIOD OTHERWISE PRESCRIBED BY ANY SPECIAL PROVISION OF LAW, WHICHEVER
5 IS LONGER. NOTHING HEREIN IS INTENDED TO AMEND THE COURT OF CLAIMS ACT
6 OR ANY PROVISION THEREOF.

7 S 3. Paragraph 12 of subdivision (a) of section 8301 of the civil
8 practice law and rules in renumbered paragraph 13 and a new paragraph 12
9 is added to read as follows:

10 12. ANY FEE IMPOSED BY SECTION FIFTY-THREE OF THE GENERAL MUNICIPAL
11 LAW; AND

12 S 4. Subdivision 3 of section 50-e of the general municipal law is
13 amended by adding a new paragraph (f) to read as follows:

14 (F) SERVICE OF A NOTICE OF CLAIM ON THE SECRETARY OF STATE AS AGENT OF
15 ANY PUBLIC CORPORATION WHATSOEVER CREATED OR EXISTING BY VIRTUE OF THE
16 LAWS OF THE STATE OF NEW YORK UPON WHOM SERVICE OF A NOTICE OF CLAIM IS
17 REQUIRED AS A CONDITION PRECEDENT TO BEING SUED, MAY BE MADE BY
18 PERSONALLY DELIVERING TO AND LEAVING WITH THE SECRETARY OF STATE OR A
19 DEPUTY, OR WITH ANY PERSON AUTHORIZED BY THE SECRETARY OF STATE TO
20 RECEIVE SUCH SERVICE, AT ANY OFFICE OF THE DEPARTMENT OF STATE IN THE
21 CITY OF ALBANY OR AT ONE OF HIS OR HER REGULARLY ESTABLISHED OFFICES,
22 DUPLICATE COPIES OF SUCH NOTICE OF CLAIM TOGETHER WITH THE STATUTORY
23 FEE, WHICH FEE SHALL BE A TAXABLE DISBURSEMENT. SERVICE ON SUCH PUBLIC
24 CORPORATION SHALL BE COMPLETE WHEN THE SECRETARY OF STATE IS SO SERVED.
25 THE SECRETARY OF STATE SHALL PROMPTLY SEND ONE OF SUCH COPIES BY CERTI-
26 FIED MAIL, RETURN RECEIPT REQUESTED, TO SUCH PUBLIC CORPORATION, AT THE
27 POST OFFICE ADDRESS, ON FILE IN THE DEPARTMENT OF STATE, SPECIFIED FOR
28 THE PURPOSE.

29 S 5. Subdivision 5 of section 50-e of the general municipal law, as
30 amended by chapter 12 of the laws of 2010, is amended to read as
31 follows:

32 5. Application for leave to serve a late notice.

33 Upon application, the court, in its discretion, may extend the time to
34 serve a notice of claim specified in paragraph (a) of subdivision one of
35 this section, WHETHER SUCH SERVICE WAS MADE UPON A PUBLIC CORPORATION OR
36 THE SECRETARY OF STATE. The extension shall not exceed the time limited
37 for the commencement of an action by the claimant against the public
38 corporation. In determining whether to grant the extension, the court
39 shall consider, in particular, whether the public corporation or its
40 attorney or its insurance carrier acquired actual knowledge of the
41 essential facts constituting the claim within the time specified in
42 subdivision one of this section or within a reasonable time thereafter.
43 The court shall also consider all other relevant facts and circum-
44 stances, including: whether the claimant was an infant, or mentally or
45 physically incapacitated, or died before the time limited for service of
46 the notice of claim; whether the claimant failed to serve a timely
47 notice of claim by reason of his justifiable reliance upon settlement
48 representations made by an authorized representative of the public
49 corporation or its insurance carrier; whether the claimant in serving a
50 notice of claim made an excusable error concerning the identity of the
51 public corporation against which the claim should be asserted, PROVIDED
52 THAT AN ERROR MADE IN GOOD FAITH CONCERNING THE IDENTITY OF THE PUBLIC
53 CORPORATION AGAINST WHOM THE CLAIM SHOULD HAVE BEEN ASSERTED MAY BE THE
54 BASIS FOR THE GRANTING OF AN EXTENSION OF TIME TO SERVE A CORRECTED
55 NOTICE OF CLAIM UPON THE PROPER PUBLIC CORPORATION, UNLESS IT CAN BE
56 DEMONSTRATED TO THE COURT THAT THE PROPER PUBLIC CORPORATION SUFFERED

1 SUBSTANTIAL PREJUDICE IN THE INVESTIGATION OR DEFENSE OF THE CLAIM DUE
2 TO THE ERROR; if service of the notice of claim is attempted by elec-
3 tronic means pursuant to paragraph (e) of subdivision three of this
4 section, whether the delay in serving the notice of claim was based upon
5 the failure of the computer system of the city or the claimant or the
6 attorney representing the claimant; that such claimant or attorney, as
7 the case may be, submitted evidence or proof as is reasonable showing
8 that (i) the submission of the claim was attempted to be electronically
9 made in a timely manner and would have been completed but for the fail-
10 ure of the computer system utilized by the sender or recipient, and (ii)
11 that upon becoming aware of both the failure of such system and the
12 failure of the city to receive such submission, the claimant or attorney
13 had insufficient time to make such claim within the permitted time peri-
14 od in a manner as otherwise prescribed by law; and whether the delay in
15 serving the notice of claim substantially prejudiced the public corpo-
16 ration in maintaining its defense on the merits.

17 An application for leave to serve a late notice shall not be denied on
18 the ground that it was made after commencement of an action against the
19 public corporation.

20 S 6. The general municipal law is amended by adding a new section 53
21 to read as follows:

22 S 53. ALTERNATIVE SERVICE OF NOTICE OF CLAIM UPON THE SECRETARY OF
23 STATE. 1. IN LIEU OF SERVING A NOTICE OF CLAIM UPON A PUBLIC CORPORATION
24 AS PROVIDED FOR IN SECTION FIFTY-E OF THIS ARTICLE, A NOTICE OF CLAIM
25 SETTING FORTH THE SAME INFORMATION AS REQUIRED BY SUCH SECTION MAY BE
26 SERVED UPON THE SECRETARY OF STATE IN THE SAME MANNER AS IF SERVED WITH
27 THE PUBLIC CORPORATION. ALL THE REQUIREMENTS RELATING TO THE FORM,
28 CONTENT, TIME LIMITATIONS, EXCEPTIONS, EXTENSIONS AND ANY OTHER PROCE-
29 DURAL REQUIREMENTS IMPOSED IN SUCH SECTION WITH RESPECT TO A NOTICE OF
30 CLAIM SERVED UPON A PUBLIC CORPORATION SHALL CORRESPONDINGLY APPLY TO A
31 NOTICE OF CLAIM SERVED UPON THE SECRETARY OF STATE AS PERMITTED BY THIS
32 SECTION. FOR PURPOSES OF THIS ARTICLE, THE SECRETARY OF STATE SHALL BE
33 DEEMED TO BE THE AGENT FOR ALL PUBLIC CORPORATIONS UPON WHOM A NOTICE OF
34 CLAIM MAY BE SERVED PRIOR TO COMMENCEMENT OF ANY ACTION OR PROCEEDING
35 SUBJECT TO THE REQUIREMENTS OF THIS ARTICLE.

36 2. THE SECRETARY OF STATE SHALL DESIGNATE AN OFFICE WITHIN THE DEPART-
37 MENT OF STATE WHEREAT PERSONS ARE ENTITLED BY LAW TO TIMELY SERVE A
38 NOTICE OF CLAIM UPON THE SECRETARY OF STATE AS THE AGENT FOR A PUBLIC
39 CORPORATION AS A CONDITION PRECEDENT TO COMMENCEMENT OF AN ACTION OR
40 PROCEEDING. ALL PUBLIC CORPORATIONS ENTITLED TO HAVE SERVED UPON THEM A
41 NOTICE OF CLAIM AS A CONDITION PRECEDENT TO COMMENCEMENT OF AN ACTION OR
42 PROCEEDING SHALL, NO LATER THAN THIRTY DAYS AFTER THE DATE UPON WHICH
43 THIS SECTION SHALL TAKE EFFECT, FILE A CERTIFICATE WITH THE SECRETARY OF
44 STATE DESIGNATING THE SECRETARY AS THE AGENT FOR SERVICE OF A NOTICE OF
45 CLAIM AND SHALL IN SUCH STATEMENT PROVIDE THE SECRETARY WITH THE NAME
46 AND ADDRESS OF AN OFFICER, PERSON, OR DESIGNEE, NOMINEE OR OTHER AGENT-
47 IN-FACT FOR THE TRANSMITTAL OF NOTICES OF CLAIM SERVED UPON THE SECRE-
48 TARY AS THE PUBLIC CORPORATION'S AGENT. ANY DESIGNATED POST-OFFICE
49 ADDRESS TO WHICH THE SECRETARY OF STATE SHALL MAIL A COPY OF THE NOTICE
50 OF CLAIM SERVED UPON HIM OR HER AS AGENT SHALL CONTINUE TO BE THE
51 ADDRESS TO WHICH SUCH NOTICES SHALL BE MAILED UNTIL THE PUBLIC CORPO-
52 RATION SENDS A NOTICE TO THE SECRETARY INFORMING HIM OR HER OF A NEW
53 ADDRESS TO WHICH SUCH NOTICES SHALL BE MAILED. THE INITIAL FILING WITH
54 THE SECRETARY OF STATE SHALL ALSO CONTAIN THE APPLICABLE TIME LIMIT FOR
55 FILING A NOTICE OF CLAIM UPON THAT PUBLIC CORPORATION, OR IF LATER
56 CHANGED BY STATUTE, A NEW FILING SHALL BE MADE DETAILING THE ALTERED

1 TIME LIMIT. ANY PUBLIC CORPORATION WHO DOES NOT HAVE A CURRENT AND TIME-
2 LY STATUTORY DESIGNATION FILED WITH THE SECRETARY OF STATE SHALL NOT BE
3 ENTITLED TO THE PORTION OF THE FEE TO WHICH IT WOULD OTHERWISE BE ENTI-
4 TLED PURSUANT TO SUBDIVISION FOUR OF THIS SECTION. FAILURE OF THE
5 PUBLIC CORPORATION TO SO FILE WITH THE SECRETARY OF STATE WILL NOT
6 INVALIDATE ANY SERVICE OF A NOTICE OF CLAIM UPON THE PUBLIC CORPORATION
7 WHICH HAS BEEN RECEIVED BY THE SECRETARY OF STATE.

8 3. THE SECRETARY OF STATE IS HEREBY EMPOWERED TO ACCEPT PROPERLY TRAN-
9 SMITTED NOTICES OF CLAIMS ON BEHALF OF A PUBLIC CORPORATION, WITH THE
10 SAME EFFECT AS IF SERVED DIRECTLY UPON A PUBLIC CORPORATION. THE SECRE-
11 TARY OF STATE SHALL ACCEPT SUCH SERVICE UPON THE FOLLOWING TERMS AND
12 CONDITIONS:

13 (A) THE SECRETARY OF STATE SHALL SET AND NOTIFY THE PUBLIC, ON HIS OR
14 HER WEBSITE, AS TO REASONABLE TIMES, PLACES AND MANNER OF SERVICE UPON
15 HIM OR HER OF NOTICES OF CLAIMS;

16 (B) UPON RECEIPT OF A NOTICE OF CLAIM, THE SECRETARY OF STATE SHALL
17 ISSUE A RECEIPT OR OTHER DOCUMENT ACKNOWLEDGING HIS OR HER RECEIPT OF
18 SUCH NOTICE, AND SUCH RECEIPT SHALL CONTAIN THE DATE AND TIME OF RECEIPT
19 OF THE NOTICE, AN IDENTIFYING NUMBER OR NAME PARTICULAR TO THE NOTICE
20 RECEIVED, AND THE LOGO OR SEAL OF THE DEPARTMENT OF STATE EMBOSSED UPON
21 IT. SUCH RECEIPT SHALL BE PRIMA FACIE EVIDENCE OF SERVICE UPON THE
22 SECRETARY OF STATE FOR ALL PURPOSES;

23 (C) WITHIN TEN DAYS AFTER RECEIVING THE NOTICE OF CLAIM, THE SECRETARY
24 OF STATE SHALL TRANSMIT AN ORIGINAL, A COPY OR AN ELECTRONIC COPY OF THE
25 NOTICE OF CLAIM TO THE PUBLIC CORPORATION NAMED IN THE NOTICE;

26 (D) NOTHING IN THIS SECTION SHALL BE DEEMED TO ALTER, WAIVE OR OTHER-
27 WISE ABROGATE ANY DEFENSE AVAILABLE TO A PUBLIC CORPORATION AS TO THE
28 NATURE, SUFFICIENCY, OR APPROPRIATENESS OF THE NOTICE OF CLAIM ITSELF,
29 OR TO ANY CHALLENGES TO THE TIMELINESS OF THE SERVICE OF A NOTICE OF
30 CLAIM. TIMELY SERVICE UPON THE SECRETARY OF STATE SHALL BE DEEMED TIME-
31 LY SERVICE UPON THE PUBLIC CORPORATION FOR PURPOSES OF INSTITUTING AN
32 ACTION OR PROCEEDING OR OTHER REQUIREMENT IMPOSED BY LAW.

33 4. THE SECRETARY OF STATE MAY IMPOSE A FEE UPON ANY PERSON WHO SERVES
34 A NOTICE OF CLAIM WITH THE DEPARTMENT. SUCH FEE SHALL NOT EXCEED TWO
35 HUNDRED FIFTY DOLLARS FOR EACH SUCH NOTICE FILED. ONE-HALF OF THE FEE
36 IMPOSED SHALL BE RETAINED BY THE SECRETARY OF STATE AS PAYMENT FOR ITS
37 SERVICES PROVIDED IN ACCORDANCE WITH THIS SECTION. THE REMAINING
38 ONE-HALF OF SUCH FEE SHALL BE FORWARDED TO THE PUBLIC CORPORATION NAMED
39 IN THE NOTICE OF CLAIM PROVIDED, HOWEVER, IF MORE THAN ONE SUCH PUBLIC
40 CORPORATION IS NAMED, EACH NAMED PUBLIC CORPORATION SHALL BE ENTITLED TO
41 AN EQUAL PERCENTAGE OF THE ONE-HALF AMOUNT.

42 5. THE SECRETARY OF STATE SHALL WITHIN SIXTY DAYS AFTER THE EFFECTIVE
43 DATE OF THIS SECTION POST ON THE DEPARTMENTAL WEBSITE A LIST OF ANY
44 PUBLIC CORPORATION, INCLUDING ANY PUBLIC AUTHORITY, PUBLIC BENEFIT
45 CORPORATION OR ANY OTHER ENTITY ENTITLED TO RECEIVE A NOTICE OF CLAIM AS
46 A CONDITION PRECEDENT TO COMMENCEMENT OF AN ACTION OR PROCEEDING, AND
47 THAT HAS FILED, PURSUANT TO THIS SECTION, A CERTIFICATE WITH THE SECRE-
48 TARY OF STATE DESIGNATING THE SECRETARY AS THE AGENT FOR SERVICE OF A
49 NOTICE OF CLAIM. THE LIST SHOULD IDENTIFY THE ENTITY, THE ADDRESS OF THE
50 PUBLIC CORPORATION TO WHICH THE NOTICE OF CLAIM SHALL BE FORWARDED BY
51 THE SECRETARY OF STATE, AND ANY STATUTORY PROVISIONS UNIQUELY PERTAINING
52 TO SUCH PUBLIC CORPORATION AND THE COMMENCEMENT OF AN ACTION OR PROCEED-
53 ING AGAINST IT.

54 S 7. Subdivision 2 of section 880 of the general municipal law, as
55 added by chapter 1030 of the laws of 1969, is amended to read as
56 follows:

1 (2) In a case founded upon tort, a notice of claim shall be required
2 as a condition precedent to the commencement of an action or special
3 proceeding against the agency or an officer, appointee or employee ther-
4 eof, and the provisions of section fifty-e of [the general municipal
5 law] THIS CHAPTER shall govern the giving of such notice. No action
6 shall be commenced more than one year AND NINETY DAYS after the cause of
7 action therefor shall have accrued.

8 S 8. Paragraph (viii) of subdivision (b) of section 970-n of the
9 general municipal law, as added by chapter 916 of the laws of 1984 and
10 such section as renumbered by chapter 686 of the laws of 1986, is
11 amended to read as follows:

12 (viii) No action or proceeding shall be prosecuted or maintained
13 against an authority for personal injury or damage to real or personal
14 property alleged to have been sustained by reason of the negligence or
15 wrongful act of the authority or any member, officer, agent or employee
16 thereof, unless (1) notice of claim shall have been made and served upon
17 the authority OR THE SECRETARY OF STATE within the time limit ESTAB-
18 LISHED by and in compliance with section fifty-e of [the general munici-
19 pal law] THIS CHAPTER, (2) it shall appear by and as an allegation in
20 the complaint or moving papers that at least thirty days have elapsed
21 since the service of such notice and that the adjustment or payment
22 thereof has been neglected or refused, and (3) the action or proceeding
23 shall be commenced within one year AND NINETY DAYS after the [happening
24 of the event upon which the claim is based] CAUSE OF ACTION SHALL HAVE
25 ACCRUED.

26 S 9. Paragraph (d) of subdivision 2 of article IV of section 21-1701
27 of the environmental conservation law is amended to read as follows:

28 (d) The foregoing consent is granted upon the condition that any suit,
29 action or proceeding prosecuted or maintained hereunder shall be
30 commenced within one year AND NINETY DAYS after the cause of action
31 therefor shall have accrued, and upon the further condition that in the
32 case of any suit, action or proceeding for the recovery or payment of
33 money, prosecuted or maintained hereunder, a notice of claim shall have
34 been served upon the Commission by or on behalf of the plaintiff or
35 plaintiffs [at least sixty days before such suit, action or proceeding
36 is commenced] WITHIN THE TIME LIMIT ESTABLISHED BY AND IN COMPLIANCE
37 WITH SECTION FIFTY-E OF THE GENERAL MUNICIPAL LAW. The provisions of
38 this subparagraph shall not apply to claims arising out of provisions of
39 any workmen's compensation law of any of the signatory States.

40 S 10. Subdivision 2 of section 540 of the public authorities law, as
41 added by chapter 804 of the laws of 1990, is amended to read as follows:

42 2. [An] EXCEPT IN AN ACTION FOR WRONGFUL DEATH, AN action against the
43 authority for damages for injuries to real or personal property, or for
44 the destruction thereof, or for personal injuries, alleged to have been
45 sustained, shall not be commenced more than one year and ninety days
46 after the cause of action therefor shall have accrued, nor unless a
47 notice of [intention to commence such action and of the time when and
48 place where the damages were incurred or sustained, together with a
49 verified statement showing in detail the property alleged to have been
50 damaged or destroyed and the value thereof, or the personal injuries
51 alleged to have been sustained and by whom,] CLAIM shall have been filed
52 [in the principal office of the authority within ninety days after such
53 cause of action shall have accrued] WITHIN THE TIME LIMIT ESTABLISHED BY
54 AND IN COMPLIANCE WITH SECTION FIFTY-E OF THE GENERAL MUNICIPAL LAW.

1 S 11. Subdivision 2 of section 569-a of the public authorities law, as
2 amended by chapter 804 of the laws of 1990, is amended to read as
3 follows:

4 2. Except in an action for wrongful death, an action against the
5 authority for damages for injuries to real or personal property, or for
6 the destruction thereof, or for personal injuries, alleged to have been
7 sustained, shall not be commenced more than one year AND NINETY DAYS
8 after the cause of action therefor shall have accrued, nor unless a
9 notice of [intention to commence such action and of the time when and
10 place where the damages or personal injuries were incurred or sustained,
11 together with a verified statement showing in detail the property
12 alleged to have been damaged or destroyed and the value thereof, or the
13 personal injuries alleged to have been sustained and by whom,] CLAIM
14 shall have been filed [with the secretary of the authority in the prin-
15 cipal office of the authority within six months after such cause of
16 action shall have accrued] WITHIN THE TIME LIMIT ESTABLISHED BY AND IN
17 COMPLIANCE WITH SECTION FIFTY-E OF THE GENERAL MUNICIPAL LAW. An action
18 against the authority for wrongful death shall be commenced in accord-
19 ance with the notice of claim and time limitation provisions of title
20 eleven of article nine of this chapter.

21 S 12. Subdivision 2 of section 666-b of the public authorities law, as
22 added by chapter 804 of the laws of 1990, is amended to read as follows:

23 2. An action against the authority for damages for injuries to real or
24 personal property, or for the destruction thereof, or for personal inju-
25 ries, alleged to have been sustained shall not be commenced more than
26 one year and ninety days after the cause of action therefor shall have
27 accrued, nor unless a notice of [intention to commence such action and
28 of the time when and place where the damages were incurred or sustained,
29 together with a verified statement showing in detail the property
30 alleged to have been damaged or destroyed and the value thereof, or the
31 personal injuries alleged to have been sustained and by whom, shall have
32 been filed in the principal office of the authority within ninety days
33 after such cause of action shall have accrued] CLAIM SHALL HAVE BEEN
34 SERVED ON THE AUTHORITY WITHIN THE TIME LIMIT ESTABLISHED BY, AND IN
35 COMPLIANCE WITH ALL REQUIREMENTS OF SECTION FIFTY-E OF THE GENERAL
36 MUNICIPAL LAW.

37 S 13. Subdivision 2 of section 735 of the public authorities law, as
38 added by chapter 804 of the laws of 1990, is amended to read as follows:

39 2. An action against the authority for damages for injuries to real or
40 personal property, or for the destruction thereof, or for personal inju-
41 ries, alleged to have been sustained shall not be commenced more than
42 one year and ninety days after the cause of action therefor shall have
43 accrued, nor unless a notice of [intention to commence such action and
44 of the time when and place where the damages were incurred or sustained,
45 together with a verified statement showing in detail the property
46 alleged to have been damaged or destroyed and the value thereof, or the
47 personal injuries alleged to have been sustained and by whom, shall have
48 been filed in the principal office of the authority within ninety days
49 after such cause of action shall have accrued] CLAIM SHALL HAVE BEEN
50 SERVED WITHIN THE TIME LIMIT ESTABLISHED BY, AND IN COMPLIANCE WITH ALL
51 REQUIREMENTS OF SECTION FIFTY-E OF THE GENERAL MUNICIPAL LAW.

52 S 14. Subdivision 1 of section 889 of the public authorities law, as
53 amended by chapter 804 of the laws of 1990, is amended to read as
54 follows:

55 1. In any case founded upon a tort a notice of claim shall be required
56 as a condition precedent to the commencement of an action or special

1 proceeding against the authority and the provisions of section fifty-e
2 of the general municipal law shall apply. EXCEPT IN AN ACTION FOR
3 WRONGFUL DEATH, AN ACTION AGAINST THE AUTHORITY FOR DAMAGES FOR INJURIES
4 TO REAL OR PERSONAL PROPERTY, OR FOR THE DESTRUCTION THEREOF, OR FOR
5 PERSONAL INJURIES, ALLEGED TO HAVE BEEN SUSTAINED, SHALL NOT BE
6 COMMENCED MORE THAN ONE YEAR AND NINETY DAYS AFTER THE CAUSE OF ACTION
7 THEREFOR SHALL HAVE ACCRUED.

8 S 15. Subdivision 1 of section 1017 of the public authorities law, as
9 amended by chapter 804 of the laws of 1990, is amended to read as
10 follows:

11 1. In any action founded upon tort a notice of claim shall be required
12 as a condition precedent to the commencement of an action or special
13 proceeding against the authority or any officer, appointee, agent or
14 employee thereof, and the provisions of section fifty-e of the general
15 municipal law shall govern the giving of such notice. EXCEPT IN AN
16 ACTION FOR WRONGFUL DEATH, AN ACTION AGAINST THE AUTHORITY FOR DAMAGES
17 FOR INJURIES TO REAL OR PERSONAL PROPERTY, OR FOR THE DESTRUCTION THERE-
18 OF, OR FOR PERSONAL INJURIES, ALLEGED TO HAVE BEEN SUSTAINED, SHALL NOT
19 BE COMMENCED MORE THAN ONE YEAR AND NINETY DAYS AFTER THE CAUSE OF
20 ACTION THEREFOR SHALL HAVE ACCRUED.

21 S 16. Subdivision 1 of section 1020-u of the public authorities law,
22 as amended by chapter 804 of the laws of 1990, is amended to read as
23 follows:

24 1. In any action founded upon tort a notice of claim shall be required
25 as a condition precedent to the commencement of an action or special
26 proceeding against the authority or any officer, appointee, agent or
27 employee thereof, and the provisions of section fifty-e of the general
28 municipal law shall govern the giving of such notice. EXCEPT IN AN
29 ACTION FOR WRONGFUL DEATH, AN ACTION AGAINST THE AUTHORITY FOR DAMAGES
30 FOR INJURIES TO REAL OR PERSONAL PROPERTY, OR FOR THE DESTRUCTION THERE-
31 OF, OR FOR PERSONAL INJURIES, ALLEGED TO HAVE BEEN SUSTAINED, SHALL NOT
32 BE COMMENCED MORE THAN ONE YEAR AND NINETY DAYS AFTER THE CAUSE OF
33 ACTION THEREFOR SHALL HAVE ACCRUED.

34 S 17. Subdivision 3 of section 1021-m of the public authorities law,
35 as added by chapter 533 of the laws of 2010, is amended to read as
36 follows:

37 3. An action against the authority founded on tort shall be commenced
38 in compliance with all the requirements of section fifty-e of the gener-
39 al municipal law, except that an action against the authority for wrong-
40 ful death shall be commenced in accordance with the provisions of title
41 eleven of article nine of this chapter. EXCEPT IN AN ACTION FOR WRONGFUL
42 DEATH, AN ACTION AGAINST THE AUTHORITY FOR DAMAGES FOR INJURIES TO REAL
43 OR PERSONAL PROPERTY, OR FOR THE DESTRUCTION THEREOF, OR FOR PERSONAL
44 INJURIES, ALLEGED TO HAVE BEEN SUSTAINED, SHALL NOT BE COMMENCED MORE
45 THAN ONE YEAR AND NINETY DAYS AFTER THE CAUSE OF ACTION THEREFOR SHALL
46 HAVE ACCRUED.

47 S 18. Subdivision 1 of section 1048-v of the public authorities law,
48 as amended by chapter 804 of the laws of 1990, is amended to read as
49 follows:

50 1. Except in an action for wrongful death, no action or proceeding
51 shall be prosecuted or maintained against the authority or the water
52 board for personal injury or damage to real or personal property alleged
53 to have been sustained by reason of the negligence or wrongful act of
54 the authority or the board or of any member, officer, agent or employee
55 thereof, unless (i) a notice of claim shall have been made and served
56 upon the authority or the water board, as the case may be, within the

1 time limit by and in compliance with section fifty-e of the general
2 municipal law, (ii) it shall appear by and as an allegation in the
3 complaint or moving papers that at least thirty days have elapsed since
4 the service of such notice and that adjustment or payment thereof has
5 been neglected or refused, and (iii) the action or proceeding shall be
6 commenced within one year AND NINETY DAYS after the happening of the
7 event upon which the claim is based. An action against the authority or
8 water board for wrongful death shall be commenced in accordance with the
9 notice of claim and time limitation provisions of title eleven of arti-
10 cle nine of this chapter.

11 S 19. Subdivision 1 of section 1067 of the public authorities law, as
12 amended by chapter 804 of the laws of 1990, is amended to read as
13 follows:

14 1. In any case founded upon tort a notice of claim shall be required
15 as a condition precedent to the commencement of an action or special
16 proceeding against the authority or any officer, appointee, agent or
17 employee thereof, and the provisions of section fifty-e of the general
18 municipal law shall govern the giving of such notice. EXCEPT IN AN
19 ACTION FOR WRONGFUL DEATH, AN ACTION AGAINST THE AUTHORITY FOR DAMAGES
20 FOR INJURIES TO REAL OR PERSONAL PROPERTY, OR FOR THE DESTRUCTION THERE-
21 OF, OR FOR PERSONAL INJURIES, ALLEGED TO HAVE BEEN SUSTAINED, SHALL NOT
22 BE COMMENCED MORE THAN ONE YEAR AND NINETY DAYS AFTER THE CAUSE OF
23 ACTION THEREFOR SHALL HAVE ACCRUED.

24 S 20. Subdivision 1 of section 1089 of the public authorities law, as
25 amended by chapter 804 of the laws of 1990, is amended to read as
26 follows:

27 1. In any case founded upon tort a notice of claim shall be required
28 as a condition precedent to the commencement of an action or special
29 proceeding against the authority or any officer, appointee or employee
30 thereof, and the provisions of section fifty-e of the general municipal
31 law shall govern the giving of such notice. EXCEPT IN AN ACTION FOR
32 WRONGFUL DEATH, AN ACTION AGAINST THE AUTHORITY FOR DAMAGES FOR INJURIES
33 TO REAL OR PERSONAL PROPERTY, OR FOR THE DESTRUCTION THEREOF, OR FOR
34 PERSONAL INJURIES, ALLEGED TO HAVE BEEN SUSTAINED, SHALL NOT BE
35 COMMENCED MORE THAN ONE YEAR AND NINETY DAYS AFTER THE CAUSE OF ACTION
36 THEREFOR SHALL HAVE ACCRUED.

37 S 21. Subdivision 1 of section 1109 of the public authorities law, as
38 amended by chapter 804 of the laws of 1990, is amended to read as
39 follows:

40 1. In any case founded upon tort a notice of claim shall be required
41 as a condition precedent to the commencement of an action or special
42 proceeding against the authority or any officer, appointee or employee
43 thereof, and the provisions of section fifty-e of the general municipal
44 law shall govern the giving of such notice. EXCEPT IN AN ACTION FOR
45 WRONGFUL DEATH, AN ACTION AGAINST THE AUTHORITY FOR DAMAGES FOR INJURIES
46 TO REAL OR PERSONAL PROPERTY, OR FOR THE DESTRUCTION THEREOF, OR FOR
47 PERSONAL INJURIES, ALLEGED TO HAVE BEEN SUSTAINED, SHALL NOT BE
48 COMMENCED MORE THAN ONE YEAR AND NINETY DAYS AFTER THE CAUSE OF ACTION
49 THEREFOR SHALL HAVE ACCRUED.

50 S 22. Subdivision 1 of section 1115-u of the public authorities law,
51 as amended by chapter 804 of the laws of 1990, is amended to read as
52 follows:

53 1. Except in an action for wrongful death, no action or proceeding
54 shall be prosecuted or maintained against the authority or the water
55 board for personal injury or damage to real or personal property alleged
56 to have been sustained by reason of the negligence or wrongful act of

1 the authority or the water board or of any member, officer, agent or
2 employee thereof, unless (a) a notice of claim shall have been made and
3 served upon the authority or the water board, as the case may be, within
4 the time limit by and in compliance with section fifty-e of the general
5 municipal law, (b) it shall appear by and as an allegation in the
6 complaint or moving papers that at least thirty days have elapsed since
7 the service of such notice and that adjustment or payment thereof has
8 been neglected or refused, and (c) the action or proceeding shall be
9 commenced within one year AND NINETY DAYS after the happening of the
10 event upon which the claim is based. An action against the authority or
11 water board for wrongful death shall be commenced in accordance with the
12 notice of claim and time limitation provisions of title eleven of arti-
13 cle nine of this chapter.

14 S 23. Subdivision 1 of section 1169 of the public authorities law, as
15 amended by chapter 804 of the laws of 1990, is amended to read as
16 follows:

17 1. In any case founded upon tort a notice of claim shall be required
18 as a condition precedent to the commencement of an action or special
19 proceeding against the authority or any officer, appointee or employee
20 thereof, and the provisions of section fifty-e of the general municipal
21 law shall govern the giving of such notice. EXCEPT IN AN ACTION FOR
22 WRONGFUL DEATH, AN ACTION AGAINST THE AUTHORITY FOR DAMAGES FOR INJURIES
23 TO REAL OR PERSONAL PROPERTY, OR FOR THE DESTRUCTION THEREOF, OR FOR
24 PERSONAL INJURIES, ALLEGED TO HAVE BEEN SUSTAINED, SHALL NOT BE
25 COMMENCED MORE THAN ONE YEAR AND NINETY DAYS AFTER THE CAUSE OF ACTION
26 THEREFOR SHALL HAVE ACCRUED.

27 S 24. Subdivision 1 of section 1174-o of the public authorities law,
28 as added by chapter 491 of the laws of 1991, is amended to read as
29 follows:

30 1. No action or proceeding shall be prosecuted or maintained against
31 the authority for personal injury or damage to real or personal property
32 alleged to have been sustained by reason of the negligence or wrongful
33 act of the authority or any member, officer, agent or employee thereof,
34 unless:

35 (a) a notice of claim shall have been made and served upon the author-
36 ity within the time limit by and in compliance with section fifty-e of
37 the general municipal law,

38 (b) it shall appear by and as an allegation in the complaint or moving
39 papers that at least thirty days have elapsed since the service of such
40 notice and that adjustment or payment thereof has been neglected or
41 refused, and

42 (c) the action or proceeding shall be commenced within one year AND
43 NINETY DAYS after the [happening of the event upon which the claim is
44 based] CAUSE OF ACTION THEREFOR SHALL HAVE ACCRUED.

45 S 25. Subdivision 1 of section 1197-n of the public authorities law,
46 as amended by chapter 804 of the laws of 1990, is amended to read as
47 follows:

48 1. Except in an action for wrongful death, no action or proceeding
49 shall be prosecuted or maintained against the authority for personal
50 injury or damage to real or personal property alleged to have been
51 sustained by reason of the negligence or wrongful act of the authority
52 or any member, officer, agent or employee thereof, unless:

53 (a) a notice of claim shall have been made and served upon the author-
54 ity within the time limit by and in compliance with section fifty-e of
55 the general municipal law,

1 (b) it shall appear by and as an allegation in the complaint or moving
2 papers that at least thirty days have elapsed since the service of such
3 notice and that adjustment or payment thereof has been neglected or
4 refused,

5 (c) the action or proceeding shall be commenced within one year AND
6 NINETY DAYS after the happening of the event upon which the claim is
7 based, and

8 (d) An action against the authority for wrongful death shall be
9 commenced in accordance with the notice of claim and time limitation
10 provisions of title eleven of article nine of this chapter.

11 S 26. Subdivision 1 of section 1198-o of the public authorities law,
12 as added by chapter 868 of the laws of 1990, is amended to read as
13 follows:

14 1. No action or proceeding shall be prosecuted or maintained against
15 the authority for personal injury or damage to real or personal property
16 alleged to have been sustained by reason of the negligence or wrongful
17 act of the authority or any member, officer, agent or employee thereof,
18 unless:

19 (a) a notice of claim shall have been made and served upon the author-
20 ity within the time limit by and in compliance with section fifty-e of
21 the general municipal law,

22 (b) it shall appear by and as an allegation in the complaint or moving
23 papers that at least thirty days have elapsed since the service of such
24 notice and that adjustment or payment thereof has been neglected or
25 refused, and

26 (c) the action or proceeding shall be commenced within one year AND
27 NINETY DAYS after the happening of the event upon which the claim is
28 based.

29 S 27. Subdivision 2 of section 1276 of the public authorities law, as
30 amended by chapter 804 of the laws of 1990, is amended to read as
31 follows:

32 2. An action against the authority founded on tort, except an action
33 for wrongful death, shall not be commenced more than one year AND NINETY
34 DAYS after the cause of action therefor shall have accrued, nor unless a
35 notice of claim shall have been served on the authority within the time
36 limited by and in compliance with all the requirements of section
37 fifty-e of the general municipal law. An action against the authority
38 for wrongful death shall be commenced in accordance with the notice of
39 claim and time limitation provisions of title eleven of article nine of
40 this chapter.

41 S 28. Subdivision 2 of section 1297 of the public authorities law, as
42 amended by chapter 804 of the laws of 1990, is amended to read as
43 follows:

44 2. An action against the corporation founded on tort, except an action
45 for wrongful death, shall not be commenced more than one year AND NINETY
46 DAYS after the cause of action therefor shall have accrued, nor unless a
47 notice of claim shall have been served on the corporation within the
48 time limited by and in compliance with all the requirements of section
49 fifty-e of the general municipal law. An action against the corporation
50 for wrongful death shall be commenced in accordance with the notice of
51 claim and time limitation provisions of title eleven of article nine of
52 this chapter.

53 S 29. Subdivision 2 of section 1299-p of the public authorities law,
54 as amended by chapter 804 of the laws of 1990, is amended to read as
55 follows:

1 2. An action against the authority founded on tort, except an action
2 for wrongful death, shall not be commenced more than one year AND NINETY
3 DAYS after the cause of action therefor shall have accrued, nor unless a
4 notice of claim shall have been served on the authority within the time
5 limited by and in compliance with all the requirements of section
6 fifty-e of the general municipal law. An action against the authority
7 for wrongful death shall be commenced in accordance with the notice of
8 claim and time limitation provisions of title eleven of article nine of
9 this chapter.

10 S 30. Subdivision 2 of section 1299-rr of the public authorities law,
11 as amended by chapter 804 of the laws of 1990, is amended to read as
12 follows:

13 2. An action against the authority founded on tort, except an action
14 for wrongful death, shall not be commenced more than one year AND NINETY
15 DAYS after the cause of action therefor shall have accrued, nor unless a
16 notice of claim shall have been served on the authority within the time
17 limited by and in compliance with all the requirements of section
18 fifty-e of the general municipal law. An action against the authority
19 for wrongful death shall be commenced in accordance with the notice of
20 claim and time limitation provisions of title eleven of article nine of
21 this chapter.

22 S 31. Subdivision 2 of section 1317 of the public authorities law, as
23 amended by chapter 804 of the laws of 1990, is amended to read as
24 follows:

25 2. An action against the authority founded on tort, except an action
26 for wrongful death, shall not be commenced more than one year AND NINETY
27 DAYS after the cause of action therefor shall have accrued, nor unless a
28 notice of claim shall have been served on the authority within the time
29 limited by and in compliance with all the requirements of section
30 fifty-e of the general municipal law. An action against the authority
31 for wrongful death shall be commenced in accordance with the notice of
32 claim and time limitation provisions of title eleven of article nine of
33 this chapter.

34 S 32. Subdivision 2 of section 1342 of the public authorities law, as
35 amended by chapter 804 of the laws of 1990, is amended to read as
36 follows:

37 2. An action against the authority founded on tort, except an action
38 for wrongful death, shall not be commenced more than one year AND NINETY
39 DAYS after the cause of action therefor shall have accrued, nor unless a
40 notice of claim shall have been served on the authority within the time
41 limited by and in compliance with all the requirements of section
42 fifty-e of the general municipal law. An action against the authority
43 for wrongful death shall be commenced in accordance with the notice of
44 claim and time limitation provisions of title eleven of article nine of
45 this chapter.

46 S 33. Section 1372 of the public authorities law, as amended by chap-
47 ter 804 of the laws of 1990, is amended to read as follows:

48 S 1372. Actions against authority. In any case founded upon a tort,
49 except an action for wrongful death, a notice of claim shall be required
50 as a condition precedent to the commencement of an action or special
51 proceeding against the authority and the provisions of section fifty-e
52 of the general municipal law shall apply. An action against the authori-
53 ty for wrongful death shall be commenced in accordance with the notice
54 of claim and time limitation provisions of title eleven of article nine
55 of this chapter. EXCEPT IN AN ACTION FOR WRONGFUL DEATH, AN ACTION
56 AGAINST THE AUTHORITY FOR DAMAGES FOR INJURIES TO REAL OR PERSONAL PROP-

1 ERTY, OR FOR THE DESTRUCTION THEREOF, OR FOR PERSONAL INJURIES, ALLEGED
2 TO HAVE BEEN SUSTAINED, SHALL NOT BE COMMENCED MORE THAN ONE YEAR AND
3 NINETY DAYS AFTER THE CAUSE OF ACTION THEREFOR SHALL HAVE ACCRUED.

4 S 34. Section 1397 of the public authorities law, as added by chapter
5 647 of the laws of 1958, is amended to read as follows:

6 S 1397. Actions against authority. In any case founded upon a tort a
7 notice of claim shall be required as a condition precedent to the
8 commencement of an action or special proceeding against the authority
9 and the provisions of section fifty-e of the general municipal law shall
10 apply. EXCEPT IN AN ACTION FOR WRONGFUL DEATH, AN ACTION AGAINST THE
11 AUTHORITY FOR DAMAGES FOR INJURIES TO REAL OR PERSONAL PROPERTY, OR FOR
12 THE DESTRUCTION THEREOF, OR FOR PERSONAL INJURIES, ALLEGED TO HAVE BEEN
13 SUSTAINED, SHALL NOT BE COMMENCED MORE THAN ONE YEAR AND NINETY DAYS
14 AFTER THE CAUSE OF ACTION THEREFOR SHALL HAVE ACCRUED.

15 S 35. Subdivision 2 of section 1416 of the public authorities law, as
16 amended by chapter 804 of the laws of 1990, is amended to read as
17 follows:

18 2. Except in an action for wrongful death, an action against the
19 authority for damages for injuries to real or personal property, or for
20 the destruction thereof, or for personal injuries, alleged to have been
21 sustained, shall not be commenced more than one year AND NINETY DAYS
22 after the cause of action therefor shall have accrued, nor unless a
23 notice of [intention to commence such action and of the time when and
24 place where the damages or personal injuries were incurred or sustained,
25 together with a verified statement showing in detail the property
26 alleged to have been damaged or destroyed and the value thereof, or the
27 personal injuries alleged to have been sustained and by whom, shall have
28 been filed with the secretary of the authority in the principal office
29 of the authority within six months after such cause of action shall have
30 accrued] CLAIM SHALL HAVE BEEN SERVED ON THE AUTHORITY WITHIN THE TIME
31 LIMIT ESTABLISHED BY, AND IN COMPLIANCE WITH ALL REQUIREMENTS OF SECTION
32 FIFTY-E OF THE GENERAL MUNICIPAL LAW. An action against the authority
33 for wrongful death shall be commenced in accordance with the notice of
34 claim and time limitation provisions of title eleven of article nine of
35 this chapter.

36 S 36. Subdivision 2 of section 1420-r of the public authorities law,
37 as amended by chapter 804 of the laws of 1990, is amended to read as
38 follows:

39 2. Except in an action for wrongful death, an action against the
40 authority for damages for injuries to real or personal property, or for
41 the destruction thereof, or for personal injuries, alleged to have been
42 sustained, shall not be commenced more than one year AND NINETY DAYS
43 after the cause of action therefor shall have accrued, nor unless a
44 notice of [intention to commence such an action and of the time when and
45 place where the damages or personal injuries were incurred or sustained,
46 together with a verified statement showing in detail the property
47 alleged to have been damaged or destroyed and the value thereof, or the
48 personal injuries alleged to have been sustained and by whom, shall have
49 been filed with the secretary of the authority in the principal office
50 of the authority within six months after such cause of action shall have
51 accrued] CLAIM SHALL HAVE BEEN SERVED ON THE AUTHORITY WITHIN THE TIME
52 LIMIT ESTABLISHED BY, AND IN COMPLIANCE WITH ALL REQUIREMENTS OF SECTION
53 FIFTY-E OF THE GENERAL MUNICIPAL LAW. An action against the authority
54 for wrongful death shall be commenced in accordance with the notice of
55 claim and time limitation provisions of title eleven of article nine of
56 this chapter.

1 S 37. Subdivision 2 of section 1421-p of the public authorities law,
2 as amended by chapter 804 of the laws of 1990, is amended to read as
3 follows:

4 2. Except in an action for wrongful death, an action against the
5 authority for damages for injuries to real or personal property, or for
6 the destruction thereof, or for personal injuries, alleged to have been
7 sustained, shall not be commenced more than one year AND NINETY DAYS
8 after the cause of action therefor shall have accrued, nor unless a
9 notice of [intention to commence such action and of the time when and
10 place where the damages or personal injuries were incurred or sustained,
11 together with a verified statement showing in detail the property
12 alleged to have been damaged or destroyed and the value thereof, or the
13 personal injuries alleged to have been sustained and by whom, shall have
14 been filed with the secretary of the authority in the principal office
15 of the authority within six months after such cause of action shall have
16 accrued] CLAIM SHALL HAVE BEEN SERVED ON THE AUTHORITY WITHIN THE TIME
17 LIMIT ESTABLISHED BY, AND IN COMPLIANCE WITH ALL REQUIREMENTS OF SECTION
18 FIFTY-E OF THE GENERAL MUNICIPAL LAW. An action against the authority
19 for wrongful death shall be commenced in accordance with the notice of
20 claim and time limitation provisions of title eleven of article nine of
21 this chapter.

22 S 38. Subdivision 2 of section 1425-q of the public authorities law,
23 as added by chapter 617 of the laws of 1972, is amended to read as
24 follows:

25 2. An action against the authority for damages for injuries to real or
26 personal property, or for the destruction thereof, or for personal inju-
27 ries or death, alleged to have been sustained, shall not be commenced
28 more than one year AND NINETY DAYS after the cause of action therefor
29 shall have accrued, nor unless a notice of [intention to commence such
30 action and of the time when and place where the damages or personal
31 injuries or death were incurred or sustained, together with a verified
32 statement showing in detail the property alleged to have been damaged or
33 destroyed and the value thereof, or the personal injuries alleged to
34 have been sustained and by whom, shall have been filed with the secre-
35 tary of the authority in the principal office of the authority within
36 six months after such cause of action shall have accrued] CLAIM SHALL
37 HAVE BEEN SERVED ON THE AUTHORITY WITHIN THE TIME LIMIT ESTABLISHED BY,
38 AND IN COMPLIANCE WITH ALL REQUIREMENTS OF SECTION FIFTY-E OF THE GENER-
39 AL MUNICIPAL LAW.

40 S 39. Subdivision 2 of section 1440 of the public authorities law, as
41 amended by chapter 804 of the laws of 1990, is amended to read as
42 follows:

43 2. Except in an action for wrongful death, an action against the
44 authority for damages for injuries to real or personal property, or for
45 the destruction thereof, or for personal injuries, alleged to have been
46 sustained, shall not be commenced more than one year AND NINETY DAYS
47 after the cause of action therefor shall have accrued, nor unless a
48 notice of [intention to commence such action and of the time when and
49 place where the damages or personal injuries were incurred or sustained,
50 together with a verified statement showing in detail the property
51 alleged to have been damaged or destroyed and the value thereof, or the
52 personal injuries alleged to have been sustained and by whom, shall have
53 been filed with the secretary of the authority in the principal office
54 of the authority within six months after such cause of action shall have
55 accrued] CLAIM SHALL HAVE BEEN SERVED ON THE AUTHORITY WITHIN THE TIME
56 LIMIT ESTABLISHED BY, AND IN COMPLIANCE WITH ALL REQUIREMENTS OF SECTION

1 FIFTY-E OF THE GENERAL MUNICIPAL LAW. An action against the authority
2 for wrongful death shall be commenced in accordance with the notice of
3 claim and time limitation provisions of title eleven of article nine of
4 this chapter.

5 S 40. Subdivision 2 of section 1466 of the public authorities law, as
6 added by chapter 637 of the laws of 1948 and such section as renumbered
7 by chapter 914 of the laws of 1957, is amended to read as follows:

8 2. An action against the authority for damages for injuries to real or
9 personal property, or for the destruction thereof, or for personal inju-
10 rries or death, alleged to have been sustained, shall not be commenced
11 more than one year AND NINETY DAYS after the cause of action therefor
12 shall have accrued, nor unless a notice of [intention to commence such
13 action and of the time when and place where the damages or personal
14 injuries or death were incurred or sustained, together with a verified
15 statement showing in detail the property alleged to have been damaged or
16 destroyed and the value thereof, or the personal injuries alleged to
17 have been sustained and by whom, shall have been filed with the secre-
18 tary of the authority in the principal office of the authority within
19 six months after such cause of action shall have accrued] CLAIM SHALL
20 HAVE BEEN SERVED ON THE AUTHORITY WITHIN THE TIME LIMIT ESTABLISHED BY,
21 AND IN COMPLIANCE WITH ALL REQUIREMENTS OF SECTION FIFTY-E OF THE GENER-
22 AL MUNICIPAL LAW.

23 S 41. Subdivision 2 of section 1470-p of the public authorities law,
24 as amended by chapter 804 of the laws of 1990, is amended to read as
25 follows:

26 2. Except in an action for wrongful death, an action against the
27 authority for damages for injuries to real or personal property, or for
28 the destruction thereof, or for personal injuries, alleged to have been
29 sustained, shall not be commenced more than one year AND NINETY DAYS
30 after the cause of action therefor shall have accrued, nor unless a
31 notice of [intention to commence such an action and of the time when and
32 place where the damages or personal injuries were incurred or sustained,
33 together with a verified statement showing in detail the property
34 alleged to have been damaged or destroyed and the value thereof, or the
35 personal injuries alleged to have been sustained and by whom, shall have
36 been filed with the secretary of the authority in the principal office
37 of the authority within six months after such cause of action shall have
38 accrued] CLAIM SHALL HAVE BEEN SERVED ON THE AUTHORITY WITHIN THE TIME
39 LIMIT ESTABLISHED BY, AND IN COMPLIANCE WITH ALL REQUIREMENTS OF SECTION
40 FIFTY-E OF THE GENERAL MUNICIPAL LAW. An action against the authority
41 for wrongful death shall be commenced in accordance with the notice of
42 claim and time limitation provisions of title eleven of article nine of
43 this chapter.

44 S 42. Subdivision 2 of section 1493-q of the public authorities law,
45 as amended by chapter 804 of the laws of 1990, is amended to read as
46 follows:

47 2. Except in an action for wrongful death, an action against the
48 authority for damages for injuries to real or personal property, or for
49 the destruction thereof, or for personal injuries, alleged to have been
50 sustained, shall not be commenced more than one year AND NINETY DAYS
51 after the cause of action therefor shall have accrued, nor unless a
52 notice of [intention to commence such action and of the time when and
53 place where the damages or personal injuries were incurred or sustained,
54 together with a verified statement showing in detail the property
55 alleged to have been damaged or destroyed and the value thereof, or the
56 personal injuries alleged to have been sustained and by whom, shall have

1 been filed with the secretary of the authority in the principal office
2 of the authority within six months after such cause of action shall have
3 accrued] CLAIM SHALL HAVE BEEN SERVED ON THE AUTHORITY WITHIN THE TIME
4 LIMIT ESTABLISHED BY, AND IN COMPLIANCE WITH ALL REQUIREMENTS OF SECTION
5 FIFTY-E OF THE GENERAL MUNICIPAL LAW. An action against the authority
6 for wrongful death shall be commenced in accordance with the notice of
7 claim and time limitation provisions of title eleven of article nine of
8 this chapter.

9 S 43. Subdivision 2 of section 1516 of the public authorities law, as
10 amended by chapter 804 of the laws of 1990, is amended to read as
11 follows:

12 2. Except in an action for wrongful death, an action against the
13 authority for damages for injuries to real or personal property, or for
14 the destruction thereof, or for personal injuries, alleged to have been
15 sustained, shall not be commenced more than one year AND NINETY DAYS
16 after the cause of action therefor shall have accrued, nor unless a
17 notice of [intention to commence such action and of the time when and
18 place where the damages or personal injuries were incurred or sustained,
19 together with a verified statement showing in detail the property
20 alleged to have been damaged or destroyed and the value thereof, or the
21 personal injuries alleged to have been sustained and by whom, shall have
22 been filed with the secretary of the authority in the principal office
23 of the authority within six months after such cause of action shall have
24 accrued] CLAIM SHALL HAVE BEEN SERVED ON THE AUTHORITY WITHIN THE TIME
25 LIMIT ESTABLISHED BY, AND IN COMPLIANCE WITH ALL REQUIREMENTS OF SECTION
26 FIFTY-E OF THE GENERAL MUNICIPAL LAW. An action against the authority
27 for wrongful death shall be commenced in accordance with the notice of
28 claim and time limitation provisions of title eleven of article nine of
29 this chapter.

30 S 44. Subdivision 2 of section 1541 of the public authorities law, as
31 amended by chapter 804 of the laws of 1990, is amended to read as
32 follows:

33 2. Except in an action for wrongful death, an action against the
34 authority for damages for injuries to real or personal property, or for
35 the destruction thereof, or for personal injuries, alleged to have been
36 sustained, shall not be commenced more than one year AND NINETY DAYS
37 after the cause of action therefor shall have accrued, nor unless a
38 notice of [intention to commence such action and of the time when and
39 place where the damages or personal injuries were incurred or sustained,
40 together with a verified statement showing in detail the property
41 alleged to have been damaged or destroyed and the value thereof, or the
42 personal injuries alleged to have been sustained and by whom, shall have
43 been filed with the secretary of the authority in the principal office
44 of the authority within six months after such cause of action shall have
45 accrued] CLAIM SHALL HAVE BEEN SERVED ON THE AUTHORITY WITHIN THE TIME
46 LIMIT ESTABLISHED BY AND IN COMPLIANCE WITH ALL REQUIREMENTS OF SECTION
47 FIFTY-E OF THE GENERAL MUNICIPAL LAW. An action against the authority
48 for wrongful death shall be commenced in accordance with the notice of
49 claim and time limitation provisions of title eleven of article nine of
50 this chapter.

51 S 45. Subdivision 2 of section 1585-q of the public authorities law,
52 as amended by chapter 804 of the laws of 1990, is amended to read as
53 follows:

54 2. Except in an action for wrongful death, an action against the
55 authority for damages for injuries to real or personal property, or for
56 the destruction thereof, or for personal injuries, alleged to have been

1 sustained, shall not be commenced more than one year AND NINETY DAYS
2 after the cause of action therefor shall have accrued, nor unless a
3 notice of [intention to commence such action and of the time when and
4 place where damages or personal injuries were incurred or sustained,
5 together with a verified statement showing in detail the property
6 alleged to have been damaged or destroyed and the value thereof, or the
7 personal injuries alleged to have been sustained and by whom, shall have
8 been filed with the secretary of the authority in the principal office
9 of the authority within six months after such cause of action shall have
10 accrued] CLAIM SHALL HAVE BEEN SERVED ON THE AUTHORITY WITHIN THE TIME
11 LIMIT ESTABLISHED BY AND IN COMPLIANCE WITH ALL REQUIREMENTS OF SECTION
12 FIFTY-E OF THE GENERAL MUNICIPAL LAW. An action against the authority
13 for wrongful death shall be commenced in accordance with the notice of
14 claim and time limitation provisions of title eleven of article nine of
15 this chapter.

16 S 46. Subdivision 2 of section 1590-q of the public authorities law,
17 as amended by chapter 804 of the laws of 1990, is amended to read as
18 follows:

19 2. Except in an action for wrongful death, an action against the
20 authority for damages for injuries to real or personal property, or for
21 the destruction thereof, or for personal injuries, alleged to have been
22 sustained, shall not be commenced more than one year AND NINETY DAYS
23 after the cause of action therefor shall have accrued, nor unless a
24 notice of [intention to commence such action and of the time when and
25 place where the damages or personal injuries were incurred or sustained,
26 together with a verified statement showing in detail the property
27 alleged to have been damaged or destroyed and the value thereof, or the
28 personal injuries alleged to have been sustained and by whom, shall have
29 been filed with the secretary of the authority in the principal office
30 of the authority within six months after such cause of action shall have
31 accrued] CLAIM SHALL HAVE BEEN SERVED ON THE AUTHORITY WITHIN THE TIME
32 LIMIT ESTABLISHED BY AND IN COMPLIANCE WITH ALL REQUIREMENTS OF SECTION
33 FIFTY-E OF THE GENERAL MUNICIPAL LAW. An action against the authority
34 for wrongful death shall be commenced in accordance with the notice of
35 claim and time limitation provisions of title eleven of article nine of
36 this chapter.

37 S 47. Subdivision 2 of section 1595-q of the public authorities law,
38 as added by chapter 1024 of the laws of 1968, is amended to read as
39 follows:

40 2. An action against the authority for damages, for injuries to real
41 or personal property, or for the destruction thereof, or for personal
42 injuries or death, alleged to have been sustained, shall not be
43 commenced more than one year AND NINETY DAYS after the cause of action
44 therefor shall have accrued, nor unless a notice of [intention to
45 commence such action and of the time when and place where the damages or
46 personal injuries or death were incurred or sustained, together with a
47 verified statement showing in detail the property alleged to have been
48 damaged or destroyed and the value thereof, or the personal injuries
49 alleged to have been sustained and by whom, shall have been filed with
50 the secretary of the authority in the principal office of the authority
51 within six months after such cause of action shall have accrued] CLAIM
52 SHALL HAVE BEEN SERVED ON THE AUTHORITY WITHIN THE TIME LIMIT ESTAB-
53 LISHED BY AND IN COMPLIANCE WITH ALL REQUIREMENTS OF SECTION FIFTY-E OF
54 THE GENERAL MUNICIPAL LAW.

1 S 48. Subdivision 2 of section 1596-p of the public authorities law,
2 as amended by chapter 804 of the laws of 1990, is amended to read as
3 follows:

4 2. Except in an action for wrongful death, an action against the
5 authority for damages for injuries to real or personal property, or for
6 the destruction thereof, or for personal injuries, alleged to have been
7 sustained, shall not be commenced more than one year AND NINETY DAYS
8 after the cause of action therefor shall have accrued, nor unless a
9 notice of [intention to commence such an action and of the time when and
10 place where the damages or personal injuries were incurred or sustained,
11 together with a verified statement showing in detail the property
12 alleged to have been damaged or destroyed and the value thereof, or the
13 personal injuries alleged to have been sustained and by whom, shall have
14 been filed with the secretary of the authority in the principal office
15 of the authority within six months after such cause of action shall have
16 accrued] CLAIM SHALL HAVE BEEN SERVED ON THE AUTHORITY WITHIN THE TIME
17 LIMIT ESTABLISHED BY AND IN COMPLIANCE WITH ALL REQUIREMENTS OF SECTION
18 FIFTY-E OF THE GENERAL MUNICIPAL LAW. An action against the authority
19 for wrongful death shall be commenced in accordance with the notice of
20 claim and time limitation provisions of title eleven of article nine of
21 this chapter.

22 S 49. Subdivision 2 of section 1597-p of the public authorities law,
23 as amended by chapter 804 of the laws of 1990, is amended to read as
24 follows:

25 2. Except in an action for wrongful death, an action against the
26 authority for damages for injuries to real or personal property, or for
27 the destruction thereof, or for personal injuries, alleged to have been
28 sustained, shall not be commenced more than one year AND NINETY DAYS
29 after the cause of action therefor shall have accrued, nor unless a
30 notice of [intention to commence such an action and of the time when and
31 place where the damages or personal injuries were incurred or sustained,
32 together with a verified statement showing in detail the property
33 alleged to have been damaged or destroyed and the value thereof, or the
34 personal injuries alleged to have been sustained and by whom, shall have
35 been filed with the secretary of the authority in the principal office
36 of the authority within six months after such cause of action shall have
37 accrued] CLAIM SHALL HAVE BEEN SERVED ON THE AUTHORITY WITHIN THE TIME
38 LIMIT ESTABLISHED BY AND IN COMPLIANCE WITH ALL REQUIREMENTS OF SECTION
39 FIFTY-E OF THE GENERAL MUNICIPAL LAW. An action against the authority
40 for wrongful death shall be commenced in accordance with the notice of
41 claim and time limitation provisions of title eleven of article nine of
42 this chapter.

43 S 50. Subdivision 2 of section 1598-p of the public authorities law,
44 as amended by chapter 804 of the laws of 1990, is amended to read as
45 follows:

46 2. Except in an action for wrongful death, an action against the
47 authority for damages for injuries to real or personal property, or for
48 the destruction thereof, or for personal injuries, alleged to have been
49 sustained, shall not be commenced more than one year AND NINETY DAYS
50 after the cause of action therefor shall have accrued, nor unless a
51 notice of [intention to commence such action and of the time when and
52 place where the damages or personal injuries were incurred or sustained,
53 together with a verified statement showing in detail the property
54 alleged to have been damaged or destroyed and the value thereof, or the
55 personal injuries alleged to have been sustained and by whom, shall have
56 been filed with the secretary of the authority in the principal office

1 of the authority within six months after such cause of action shall have
2 accrued] CLAIM SHALL HAVE BEEN SERVED ON THE AUTHORITY WITHIN THE TIME
3 LIMIT ESTABLISHED BY AND IN COMPLIANCE WITH ALL REQUIREMENTS OF SECTION
4 FIFTY-E OF THE GENERAL MUNICIPAL LAW. An action against the authority
5 for wrongful death shall be commenced in accordance with the notice of
6 claim and time limitation provisions of title eleven of article nine of
7 this chapter.

8 S 51. Subdivision (b) of section 1599-qq of the public authorities
9 law, as amended by chapter 804 of the laws of 1990, is amended to read
10 as follows:

11 (b) Except in an action for wrongful death, an action against the
12 authority for damages for injuries to real or personal property, or for
13 the destruction thereof, or for personal injuries, alleged to have been
14 sustained, shall not be commenced more than one year AND NINETY DAYS
15 after the cause of action therefor shall have accrued, nor unless a
16 notice of [intention to commence such action and of the time when and
17 place where the damages or personal injuries were incurred or sustained,
18 together with a verified statement showing in detail the property
19 alleged to have been damaged or destroyed and the value thereof, or the
20 personal injuries alleged to have been sustained and by whom, shall have
21 been filed with the secretary of the authority in the principal office
22 of the authority within six months after such cause of action shall have
23 accrued] CLAIM SHALL HAVE BEEN SERVED ON THE AUTHORITY WITHIN THE TIME
24 LIMIT ESTABLISHED BY AND IN COMPLIANCE WITH ALL REQUIREMENTS OF SECTION
25 FIFTY-E OF THE GENERAL MUNICIPAL LAW. An action against the authority
26 for wrongful death shall be commenced in accordance with the notice of
27 claim and time limitation provisions of title eleven of article nine of
28 this chapter.

29 S 52. Subdivision 2 of section 1599-qqqq of the public authorities
30 law, as amended by chapter 804 of the laws of 1990, is amended to read
31 as follows:

32 2. Except in an action for wrongful death, an action against the
33 authority for damages for injuries to real or personal property, or for
34 the destruction thereof, or for personal injuries, alleged to have been
35 sustained, shall not be commenced more than one year AND NINETY DAYS
36 after the cause of action therefor shall have accrued, nor unless a
37 notice of [intention to commence such an action and of the time when and
38 place where the damages or personal injuries were incurred or sustained,
39 together with a verified statement showing in detail the property
40 alleged to have been damaged or destroyed and the value thereof, or the
41 personal injuries alleged to have been sustained and by whom, shall have
42 been filed with the secretary of the authority in the principal office
43 of the authority within six months after such cause of action shall have
44 accrued] CLAIM SHALL HAVE BEEN SERVED ON THE AUTHORITY WITHIN THE TIME
45 LIMIT ESTABLISHED BY AND IN COMPLIANCE WITH ALL REQUIREMENTS OF SECTION
46 FIFTY-E OF THE GENERAL MUNICIPAL LAW. An action against the authority
47 for wrongful death shall be commenced in accordance with the notice of
48 claim and time limitation provisions of title eleven of article nine of
49 this chapter.

50 S 53. Subdivision 2 of section 1600-qq of the public authorities law,
51 as amended by chapter 804 of the laws of 1990, is amended to read as
52 follows:

53 2. Except in an action for wrongful death, an action against the
54 authority for damages for injuries to real or personal property, or for
55 the destruction thereof, or for personal injuries, alleged to have been
56 sustained, shall not be commenced more than one year AND NINETY DAYS

1 after the cause of action therefor shall have accrued, nor unless a
2 notice of [intention to commence such action and of the time when and
3 place where the damages or personal injuries were incurred or sustained,
4 together with a verified statement showing in detail the property
5 alleged to have been damaged or destroyed and the value thereof, or the
6 personal injuries alleged to have been sustained and by whom, shall have
7 been filed with the secretary of the authority in the principal office
8 of the authority within six months after such cause of action shall have
9 accrued] CLAIM SHALL HAVE BEEN SERVED ON THE AUTHORITY WITHIN THE TIME
10 LIMIT ESTABLISHED BY AND IN COMPLIANCE WITH ALL REQUIREMENTS OF SECTION
11 FIFTY-E OF THE GENERAL MUNICIPAL LAW. An action against the authority
12 for wrongful death shall be commenced in accordance with the notice of
13 claim and time limitation provisions of title eleven of article nine of
14 this chapter.

15 S 54. Subdivision 2 of section 1617 of the public authorities law, as
16 amended by chapter 804 of the laws of 1990, is amended to read as
17 follows:

18 2. Except in an action for wrongful death, an action against the
19 authority for damages for injuries to real or personal property, or for
20 the destruction thereof, or for personal injuries, alleged to have been
21 sustained, shall not be commenced more than one year AND NINETY DAYS
22 after the cause of action therefor shall have accrued, nor unless a
23 notice of [intention to commence such action and of the time when and
24 place where the damages or personal injuries were incurred or sustained,
25 together with a verified statement showing in detail the property
26 alleged to have been damaged or destroyed and the value thereof, or the
27 personal injuries alleged to have been sustained and by whom, shall have
28 been filed with the secretary of the authority in the principal office
29 of the authority within six months after such cause of action shall have
30 accrued] CLAIM SHALL HAVE BEEN SERVED ON THE AUTHORITY WITHIN THE TIME
31 LIMIT ESTABLISHED BY AND IN COMPLIANCE WITH ALL REQUIREMENTS OF SECTION
32 FIFTY-E OF THE GENERAL MUNICIPAL LAW. An action against the authority
33 for wrongful death shall be commenced in accordance with the notice of
34 claim and time limitation provisions of title eleven of article nine of
35 this chapter.

36 S 55. Subdivision 2 of section 1621-q of the public authorities law,
37 as amended by chapter 804 of the laws of 1990, is amended to read as
38 follows:

39 2. Except in an action for wrongful death, an action against the
40 authority for damages for injuries to real or personal property, or for
41 the destruction thereof, or for personal injuries, alleged to have been
42 sustained, shall not be commenced more than one year AND NINETY DAYS
43 after the cause of action therefor shall have accrued, nor unless a
44 notice of [intention to commence such action and of the time when and
45 place where the damages or personal injuries were incurred or sustained,
46 together with a verified statement showing in detail the property
47 alleged to have been damaged or destroyed and the value thereof, or the
48 personal injuries alleged to have been sustained and by whom, shall have
49 been filed with the secretary of the authority in the principal office
50 of the authority within six months after such cause of action shall have
51 accrued] CLAIM SHALL HAVE BEEN SERVED ON THE AUTHORITY WITHIN THE TIME
52 LIMIT ESTABLISHED BY AND IN COMPLIANCE WITH ALL REQUIREMENTS OF SECTION
53 FIFTY-E OF THE GENERAL MUNICIPAL LAW. An action against the authority
54 for wrongful death shall be commenced in accordance with the notice of
55 claim and time limitation provisions of title eleven of article nine of
56 this chapter.

1 S 56. Subdivision 2 of section 1622-q of the public authorities law,
2 as added by chapter 489 of the laws of 1991, is amended to read as
3 follows:

4 2. Except in an action for wrongful death, an action against the
5 authority for damages for injuries to real or personal property, or for
6 the destruction thereof, or for personal injuries, alleged to have been
7 sustained, shall not be commenced more than one year AND NINETY DAYS
8 after the cause of action therefor shall have accrued, nor unless a
9 notice of [intention to commence such an action and of the time when and
10 place where the damages or personal injuries were incurred or sustained,
11 together with a verified statement showing in detail the property
12 alleged to have been damaged or destroyed and the value thereof, or the
13 personal injuries alleged to have been sustained and by whom, shall have
14 been filed with the secretary of the authority in the principal office
15 of the authority within six months after such cause of action shall have
16 accrued] CLAIM SHALL HAVE BEEN SERVED ON THE AUTHORITY WITHIN THE TIME
17 LIMIT ESTABLISHED BY AND IN COMPLIANCE WITH ALL REQUIREMENTS OF SECTION
18 FIFTY-E OF THE GENERAL MUNICIPAL LAW. An action against the authority
19 for wrongful death shall be commenced in accordance with the notice of
20 claim and time limitation provisions of title eleven of article nine of
21 this chapter.

22 S 57. Subdivision 2 of section 1777 of the public authorities law, as
23 amended by chapter 804 of the laws of 1990, is amended to read as
24 follows:

25 2. Except in an action for wrongful death, in a case founded upon a
26 tort, a notice of claim shall be required as a condition precedent to
27 the commencement of an action or special proceeding against the authori-
28 ty or an officer, appointee or employee thereof, and the provisions of
29 section fifty-e of the general municipal law shall govern the giving of
30 such notice. No action shall be commenced more than one year AND NINETY
31 DAYS after the cause of action therefor shall have accrued, except in an
32 action for wrongful death, which shall be commenced in accordance with
33 the notice of claim and time limitation provisions of title eleven of
34 article nine of this chapter.

35 S 58. Subdivision 2 of section 1918 of the public authorities law, as
36 amended by chapter 804 of the laws of 1990, is amended to read as
37 follows:

38 2. Except in an action for wrongful death, an action against the
39 authority founded on tort shall not be commenced more than one year AND
40 NINETY DAYS after the cause of action therefor shall have accrued, nor
41 unless a notice of claim shall have been served on the authority within
42 the time limited by, and in compliance with all the requirements of
43 section fifty-e of the general municipal law. An action against the
44 authority for wrongful death shall be commenced in accordance with the
45 notice of claim and time limitation provisions of title eleven of arti-
46 cle nine of this chapter.

47 S 59. Subdivision 2 of section 1939-g of the public authorities law,
48 as amended by chapter 804 of the laws of 1990, is amended to read as
49 follows:

50 2. Except in an action for wrongful death, an action against the
51 authority founded in tort shall not be commenced more than one year AND
52 NINETY DAYS after the cause of action therefor shall have accrued, nor
53 unless a notice of claim shall have been served on the authority within
54 the time limited by, and in compliance with all the requirements of
55 section fifty-e of the general municipal law. An action against the
56 authority for wrongful death shall be commenced in accordance with the

1 notice of claim and time limitation provisions of title eleven of arti-
2 cle nine of this chapter.

3 S 60. Subdivision 2 of section 1966 of the public authorities law, as
4 added by chapter 759 of the laws of 1967, is amended to read as follows:

5 2. In a case founded upon tort, a notice of claim shall be required as
6 a condition precedent to the commencement of an action or special
7 proceeding against the authority or an officer, appointee or employee
8 thereof, and the provisions of section fifty-e of the general municipal
9 law shall govern the giving of such notice. No action shall be commenced
10 more than one year AND NINETY DAYS after the cause of action therefor
11 shall have accrued.

12 S 61. Section 1984 of the public authorities law, as amended by chap-
13 ter 804 of the laws of 1990, is amended to read as follows:

14 S 1984. Actions. In any case founded upon tort a notice of claim shall
15 be required as a condition precedent to the commencement of an action or
16 special proceeding against the authority or any officer, appointee or
17 employee thereof, and the provisions of section fifty-e of the general
18 municipal law shall govern the giving of such notice. An action against
19 the authority for wrongful death shall be commenced in accordance with
20 the notice of claim and time limitation provisions of title eleven of
21 article nine of this chapter. EXCEPT IN AN ACTION FOR WRONGFUL DEATH,
22 AN ACTION AGAINST THE AUTHORITY FOR DAMAGES FOR INJURIES TO REAL OR
23 PERSONAL PROPERTY, OR FOR THE DESTRUCTION THEREOF, OR FOR PERSONAL INJU-
24 RIES, ALLEGED TO HAVE BEEN SUSTAINED, SHALL NOT BE COMMENCED MORE THAN
25 ONE YEAR AND NINETY DAYS AFTER THE CAUSE OF ACTION THEREFOR SHALL HAVE
26 ACCRUED.

27 S 62. Section 2032 of the public authorities law, as added by chapter
28 745 of the laws of 1969, is amended to read as follows:

29 S 2032. Actions. In any case founded upon tort a notice of claim shall
30 be required as a condition precedent to the commencement of an action or
31 special proceeding against the authority or any officer, appointee or
32 employee thereof, and the provisions of section fifty-e of the general
33 municipal law shall govern the giving of such notice. EXCEPT IN AN
34 ACTION FOR WRONGFUL DEATH, AN ACTION AGAINST THE AUTHORITY FOR DAMAGES
35 FOR INJURIES TO REAL OR PERSONAL PROPERTY, OR FOR THE DESTRUCTION THERE-
36 OF, OR FOR PERSONAL INJURIES, ALLEGED TO HAVE BEEN SUSTAINED, SHALL NOT
37 BE COMMENCED MORE THAN ONE YEAR AND NINETY DAYS AFTER THE CAUSE OF
38 ACTION THEREFOR SHALL HAVE ACCRUED.

39 S 63. Subdivision 2 of section 2040-i of the public authorities law,
40 as amended by chapter 804 of the laws of 1990, is amended to read as
41 follows:

42 2. Except in an action for wrongful death, an action against the
43 authority founded on tort shall not be commenced more than one year AND
44 NINETY DAYS after the cause of action therefor shall have accrued, nor
45 unless a notice of claim shall have been served on the authority within
46 the time limited by and in compliance with all the requirements of
47 section fifty-e of the general municipal law. An action against the
48 authority for wrongful death shall be commenced in accordance with the
49 notice of claim and time limitation provisions of title eleven of arti-
50 cle nine of this chapter.

51 S 64. Subdivision 2 of section 2046-i of the public authorities law,
52 as amended by chapter 804 of the laws of 1990, is amended to read as
53 follows:

54 2. Except in an action for wrongful death, an action against the agen-
55 cy founded on tort shall not be commenced more than one year AND NINETY
56 DAYS after the cause of action therefor shall have accrued, nor unless a

1 notice of claim shall have been served on the agency within the time
2 limited by and in compliance with all the requirements of section
3 fifty-e of the general municipal law. An action against the agency for
4 wrongful death shall be commenced in accordance with the notice of claim
5 and time limitation provisions of title eleven of article nine of this
6 chapter.

7 S 65. Subdivision b of section 2087 of the public authorities law, as
8 amended by chapter 804 of the laws of 1990, is amended to read as
9 follows:

10 b. Except in an action for wrongful death, an action against the
11 authority founded in tort shall not be commenced more than one year AND
12 NINETY DAYS after the cause of action therefor shall have accrued, nor
13 unless a notice of claim shall have been served on the authority within
14 the time limited by, and in compliance with all the requirements of
15 section fifty-e of the general municipal law. An action against the
16 authority for wrongful death shall be commenced in accordance with the
17 notice of claim and time limitation provisions of title eleven of arti-
18 cle nine of this chapter.

19 S 66. Subdivision 2 of section 2332 of the public authorities law, as
20 added by chapter 915 of the laws of 1969, is amended to read as follows:

21 2. In a case founded upon tort, a notice of claim shall be required as
22 a condition precedent to the commencement of an action or special
23 proceeding against the authority or an officer, appointee or employee
24 thereof, and the provisions of section fifty-e of the general municipal
25 law shall govern the giving of such notice. No action shall be commenced
26 more than one year AND NINETY DAYS after the cause of action therefor
27 shall have accrued.

28 S 67. Section 2416 of the public authorities law, as added by chapter
29 612 of the laws of 1970, the closing paragraph as amended by chapter 804
30 of the laws of 1990, is amended to read as follows:

31 S 2416. Actions. In any case founded upon tort a notice of claim shall
32 be required as a condition precedent to the commencement of an action or
33 special proceeding against the agency or any officer, appointee or
34 employee thereof, and the provisions of section fifty-e of the general
35 municipal law shall govern the giving of such notice.

36 Except in an action for wrongful death, no action shall be commenced
37 (a) prior to the expiration of thirty days from the date on which the
38 demand, claim or claims upon which the action is founded were presented
39 to a director of the agency or other officer thereof designated for such
40 purpose nor (b) more than one year AND NINETY DAYS after the cause of
41 action therefor shall have accrued. An action against the agency for
42 wrongful death shall be commenced in accordance with the notice of claim
43 and time limitation provisions of title eleven of article nine of this
44 chapter.

45 S 68. Section 2447 of the public authorities law, as added by chapter
46 902 of the laws of 1972, the closing paragraph as amended by chapter 804
47 of the laws of 1990, is amended to read as follows:

48 S 2447. Actions. In any case founded upon tort a notice of claim shall
49 be required as a condition precedent to the commencement of an action or
50 special proceeding against the agency or any officer, appointee or
51 employee thereof, and the provisions of section fifty-e of the general
52 municipal law shall govern the giving of such notice.

53 Except in an action for wrongful death, no action shall be commenced
54 (a) prior to the expiration of thirty days from the date on which the
55 demand, claim or claims upon which the action is founded were presented
56 to a director of the agency or other officer thereof designated for such

1 purpose nor (b) more than one year AND NINETY DAYS after the cause of
2 action therefor shall have accrued. An action against the agency for
3 wrongful death shall be commenced in accordance with the notice of claim
4 and time limitation provisions of title eleven of article nine of this
5 chapter.

6 S 69. Section 2570 of the public authorities law, as amended by chap-
7 ter 804 of the laws of 1990, is amended to read as follows:

8 S 2570. Actions. A notice of claim, served in accordance with the
9 provisions of section fifty-e of the general municipal law, shall be a
10 condition precedent to the commencement of an action against the corpo-
11 ration, its directors, officers, employees or agents. No such action
12 shall be commenced more than one year AND NINETY DAYS after it has
13 accrued, except that an action against the corporation for wrongful
14 death shall be commenced in accordance with the notice of claim and time
15 limitation provisions of title eleven of article nine of this chapter.

16 S 70. Subdivision 2 of section 2638 of the public authorities law, as
17 amended by chapter 804 of the laws of 1990, is amended to read as
18 follows:

19 2. In a case founded upon tort, a notice of claim shall be required as
20 a condition precedent to the commencement of an action or special
21 proceeding against the commission or an officer, appointee or employee
22 thereof, and the provisions of section fifty-e of the general municipal
23 law shall govern the giving of such notice. No action shall be commenced
24 more than one year AND NINETY DAYS after the cause of action therefor
25 shall have accrued, except an action against the commission for wrongful
26 death shall be commenced in accordance with the notice of claim and time
27 limitation provisions of title eleven of article nine of this chapter.

28 S 71. Subdivision 2 of section 376-a of the education law, as amended
29 by chapter 804 of the laws of 1990, is amended to read as follows:

30 2. Except in an action for wrongful death, an action against the fund
31 for damages for injuries to real or personal property, or for the
32 destruction thereof, or for personal injuries, alleged to have been
33 sustained, shall not be commenced more than one year and ninety days
34 after the cause of action therefor shall have accrued, nor unless a
35 notice of [intention to commence such action and of the time when and
36 place where the damages or personal injuries were incurred or sustained,
37 together with a verified statement showing in detail the property
38 alleged to have been damaged or destroyed and the value thereof, or the
39 personal injuries, alleged to have been sustained, and by whom, shall
40 have been filed with a trustee or officer of the fund in the principal
41 office of the fund within ninety days after such cause of action shall
42 have accrued] CLAIM SHALL HAVE BEEN SERVED ON THE FUND WITHIN THE TIME
43 LIMIT ESTABLISHED BY, AND IN COMPLIANCE WITH ALL REQUIREMENTS OF SECTION
44 FIFTY-E OF THE GENERAL MUNICIPAL LAW. An action against the fund for
45 wrongful death shall be commenced in accordance with the notice of claim
46 and time limitation provisions of title eleven of article nine of the
47 public authorities law.

48 S 72. Subdivision 3 of section 467 of the education law, as amended by
49 chapter 804 of the laws of 1990, is amended to read as follows:

50 3. Except in an action for wrongful death, an action against the fund
51 for damages for injuries to real or personal property, or for the
52 destruction thereof, or for personal injuries, alleged to have been
53 sustained, shall not be commenced more than one year and ninety days
54 after the cause of action therefor shall have accrued, nor unless a
55 notice of [intention to commence such action and of the time when and
56 place where the damages or personal injuries were incurred or sustained,

1 together with a verified statement showing in detail the property
2 alleged to have been damaged or destroyed and the value thereof, or the
3 personal injuries, alleged to have been sustained, and by whom, shall
4 have been filed with a trustee or officer of the fund in the principal
5 office of the fund within ninety days after such cause of action shall
6 have accrued] CLAIM SHALL HAVE BEEN SERVED ON THE FUND WITHIN THE TIME
7 LIMIT ESTABLISHED BY, AND IN COMPLIANCE WITH ALL REQUIREMENTS OF SECTION
8 FIFTY-E OF THE GENERAL MUNICIPAL LAW. An action against the fund for
9 wrongful death shall be commenced in accordance with the notice of claim
10 and time limitation provisions of title eleven of article nine of the
11 public authorities law.

12 S 73. Subdivision 3 of section 491 of the education law, as amended by
13 chapter 804 of the laws of 1990, is amended to read as follows:

14 3. Except in an action for wrongful death, an action against the fund
15 for damages for injuries to real or personal property, or for the
16 destruction thereof, or for personal injuries, alleged to have been
17 sustained, shall not be commenced more than one year and ninety days
18 after the cause of action therefor shall have accrued, nor unless a
19 notice of [intention to commence such action and of the time when and
20 place where the damages or personal injuries were incurred or sustained,
21 together with a verified statement showing in detail the property
22 alleged to have been damaged or destroyed and the value thereof, or the
23 personal injuries, alleged to have been sustained, and by whom, shall
24 have been filed with a trustee or officer of the fund in the principal
25 office of the fund within ninety days after such cause of action shall
26 have accrued] CLAIM SHALL HAVE BEEN SERVED ON THE FUND WITHIN THE TIME
27 LIMIT ESTABLISHED BY, AND IN COMPLIANCE WITH ALL REQUIREMENTS OF SECTION
28 FIFTY-E OF THE GENERAL MUNICIPAL LAW. An action against the fund for
29 wrongful death shall be commenced in accordance with the notice of claim
30 and time limitation provisions of title eleven of article nine of the
31 public authorities law.

32 S 74. Section 41.29 of the mental hygiene law, as amended by chapter
33 588 of the laws of 1973 and as renumbered by chapter 978 of the laws of
34 1977, is amended to read as follows:

35 S 41.29 Liability of local government.

36 Any local government which has established a local governmental unit
37 shall save harmless and protect the members of the board and officers
38 and employees of such unit from financial loss arising out of any claim,
39 demand, suit, or judgment by reason of alleged negligence or other act
40 resulting in accidental bodily harm or injury to any person, provided
41 such board member, officer, or employee at the time of the accident or
42 injury was acting in the discharge of his duties within the scope of his
43 employment under this article. No action shall be maintained under this
44 section against such a local government, board member, officer, or
45 employee unless a notice of claim shall have been made and served in
46 compliance with section fifty-e of the general municipal law. EXCEPT IN
47 AN ACTION FOR WRONGFUL DEATH, AN ACTION AGAINST SUCH A LOCAL GOVERNMENT,
48 BOARD MEMBER, OFFICER, OR EMPLOYEE FOR DAMAGES FOR INJURIES TO REAL OR
49 PERSONAL PROPERTY, OR FOR THE DESTRUCTION THEREOF, OR FOR PERSONAL INJU-
50 RIES, ALLEGED TO HAVE BEEN SUSTAINED, SHALL NOT BE COMMENCED MORE THAN
51 ONE YEAR AND NINETY DAYS AFTER THE CAUSE OF ACTION THEREFOR SHALL HAVE
52 ACCRUED.

53 S 75. Subdivision 1 of section 667 of the private housing finance law,
54 as amended by chapter 804 of the laws of 1990 and as designated by chap-
55 ter 702 of the laws of 1992, is amended to read as follows:

1 1. Except in an action for wrongful death, in any case founded upon
2 tort a notice of claim shall be required as a condition precedent to the
3 commencement of an action or special proceeding against the corporation,
4 any of its subsidiary corporations, or any officer, appointee or employ-
5 ee thereof, and the provisions of section fifty-e of the general municipi-
6 pal law shall govern the giving of such notice. An action for wrongful
7 death shall be commenced in accordance with the notice of claim and time
8 limitation provisions of title eleven of article nine of the public
9 authorities law. ANY OTHER ACTION AGAINST THE CORPORATION, ANY OF ITS
10 SUBSIDIARY CORPORATIONS, OR ANY OTHER OFFICER, APPOINTEE OR EMPLOYEE
11 THEREOF FOR DAMAGES FOR INJURIES TO REAL OR PERSONAL PROPERTY, OR FOR
12 THE DESTRUCTION THEREOF, OR FOR PERSONAL INJURIES, ALLEGED TO HAVE BEEN
13 SUSTAINED, SHALL NOT BE COMMENCED MORE THAN ONE YEAR AND NINETY DAYS
14 AFTER THE CAUSE OF ACTION THEREFOR SHALL HAVE ACCRUED.

15 S 76. Subdivision 3 of section 12 of section 1 of chapter 359 of the
16 laws of 1968, constituting the facilities development corporation act,
17 as amended by chapter 804 of the laws of 1990, is amended to read as
18 follows:

19 3. Except in an action for wrongful death, an action against the
20 corporation for damages for injuries to real or personal property, or
21 for the destruction thereof, or for personal injuries, alleged to have
22 been sustained, shall not be commenced more than one year and ninety
23 days after the cause of action therefor shall have accrued, nor unless a
24 notice of [intention to commence such action and of the time when and
25 place where the damages or personal injuries were incurred or sustained,
26 together with a verified statement showing in detail the property
27 alleged to have been damaged or destroyed and the value thereof, or the
28 personal injuries, alleged to have been sustained, and by whom, shall
29 have been filed with a member or officer of the corporation in the prin-
30 cipal office of the corporation within ninety days after such cause of
31 action shall have accrued] CLAIM SHALL HAVE BEEN SERVED ON THE CORPO-
32 RATION WITHIN THE TIME LIMIT ESTABLISHED BY AND IN COMPLIANCE WITH ALL
33 REQUIREMENTS OF SECTION FIFTY-E OF THE GENERAL MUNICIPAL LAW. An action
34 against the corporation for wrongful death shall be commenced in accord-
35 ance with the notice of claim and time limitation provisions of title
36 eleven of article nine of the public authorities law.

37 S 77. Subdivision a of section 19-152.2 of the administrative code of
38 the city of New York, as amended by local law number 104 of the city of
39 New York for the year 1993, is amended to read as follows:

40 a. A claim against the department arising from the city's performance
41 pursuant to section 19-152 of the code shall be initiated within one
42 year from the date of entry of a notice of account [by filing] IF THE
43 CLAIMANT SHALL HAVE FILED a notice of claim with the office of the comp-
44 troller of the city of New York WITHIN THE TIME LIMIT ESTABLISHED BY,
45 AND IN COMPLIANCE WITH ALL THE REQUIREMENTS OF SECTION FIFTY-E OF THE
46 GENERAL MUNICIPAL LAW. The claim forms shall be provided to property
47 owners upon request at no cost.

48 S 78. Chapter 154 of the laws of 1921, relating to the port authority
49 of New York and New Jersey is amended by adding a new article XI-A to
50 read as follows:

51 ARTICLE XI-A

52 NOTWITHSTANDING ANY OTHER PROVISION OF LAW TO THE CONTRARY, EVERY
53 ACTION AGAINST THE AUTHORITY FOR DAMAGES OR INJURIES TO REAL OR PERSONAL
54 PROPERTY, OR FOR THE DESTRUCTION THEREOF, OR FOR PERSONAL INJURIES OR
55 WRONGFUL DEATH SHALL NOT BE COMMENCED UNLESS A NOTICE OF CLAIM SHALL
56 HAVE BEEN SERVED ON THE AUTHORITY IN THE MANNER PROVIDED FOR IN THE

1 STATE WHERE THE ACTION IS COMMENCED, AND IN COMPLIANCE WITH THE PERTI-
2 NENT STATUTES OF THE STATE RELATING GENERALLY TO ACTIONS COMMENCED
3 AGAINST THAT STATE AND IN COMPLIANCE WITH ALL THE REQUIREMENTS OF THE
4 LAWS OF THAT STATE. WHERE SUCH STATE'S LAW PERMITS SERVICE UPON A
5 DEPARTMENT OF THAT STATE IN LIEU OF SERVICE UPON THE PUBLIC ENTITY,
6 SERVICE MAY BE MADE PURSUANT TO SUCH LAW. EXCEPT IN AN ACTION FOR WRONG-
7 FUL DEATH AGAINST SUCH AN ENTITY, AN ACTION FOR DAMAGES OR FOR INJURIES
8 TO REAL OR PERSONAL PROPERTY, OR FOR THE DESTRUCTION THEREOF, OR FOR
9 PERSONAL INJURIES, ALLEGED TO HAVE BEEN SUSTAINED, SHALL NOT BE
10 COMMENCED MORE THAN ONE YEAR AND NINETY DAYS AFTER THE CAUSE OF ACTION
11 THEREFOR SHALL HAVE ACCRUED OR WITHIN THE TIME PERIOD OTHERWISE
12 PRESCRIBED BY ANY SPECIAL PROVISION OF LAW OF THAT STATE, WHICHEVER IS
13 LONGER.

14 S 79. This act shall take effect on the one hundred eightieth day
15 after it shall have become a law and shall apply to all actions and
16 proceedings accruing on or after such date; provided, however, that
17 section seventy-eight of this act shall take effect upon the enactment
18 into law by the state of New Jersey of legislation having an identical
19 effect as section seventy-eight of this act, but if the state of New
20 Jersey shall have enacted such legislation into law prior to the first
21 day of January next succeeding the date upon which this act shall have
22 become a law, section seventy-eight of this act shall take effect on the
23 one hundred eightieth day from the date upon which it shall have become
24 a law; provided further, however, that the state of New Jersey shall
25 notify the legislative bill drafting commission upon the occurrence of
26 the enactment of the provisions provided for in this act in order that
27 the commission may maintain an accurate and timely effective data base
28 of the official text of the laws of the state of New York in furtherance
29 of effecting the provisions of section 44 of the legislative law and
30 section 70-b of the public officers law.