

7641

I N   S E N A T E

June 11, 2012

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

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

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

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

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

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

5. Application for leave to serve a late notice.

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

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

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

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

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

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

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

2. [An] EXCEPT IN AN ACTION FOR WRONGFUL DEATH, AN action against the authority for damages for injuries to real or personal property, or for the destruction thereof, or for personal injuries, alleged to have been sustained, shall not be commenced more than one year and ninety days after the cause of action therefor shall have accrued, nor unless a notice of [intention to commence such action and of the time when and place where the damages were incurred or sustained, together with a verified statement showing in detail the property alleged to have been damaged or destroyed and the value thereof, or the personal injuries alleged to have been sustained and by whom,] CLAIM shall have been filed [in the principal office of the authority within ninety days after such cause of action shall have accrued] WITHIN THE TIME LIMIT ESTABLISHED BY 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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

S 69. Section 2570 of the public authorities law, as amended by chapter 804 of the laws of 1990, is amended to read as follows:

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

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

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

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

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

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

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