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

7641--B

I N S E N A T E

June 11, 2012

Introduced by Sen. MARTINS -- read twice and ordered printed, and when printed to be committed to the Committee on Rules -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the civil practice law and rules, 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, and chapter 154 of the laws of 1921 relating to the port authority of New York and New Jersey, 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:

Section 1. Short title. This act shall be known and may be cited as the "uniform notice of claim act".

S 2. The civil practice law and rules is amended by adding a new section 217-a to read as follows:

S 217-A. ACTIONS TO BE COMMENCED WITHIN ONE YEAR AND NINETY DAYS. NOTWITHSTANDING ANY OTHER PROVISION OF LAW TO THE CONTRARY, AND IRRESPECTIVE OF WHETHER THE RELEVANT STATUTE IS EXPRESSLY AMENDED BY SECTIONS THREE THROUGH SEVENTY-NINE OF THE UNIFORM NOTICE OF CLAIM ACT, EVERY ACTION FOR DAMAGES OR INJURIES TO REAL OR PERSONAL PROPERTY, OR FOR THE DESTRUCTION THEREOF, OR FOR PERSONAL INJURIES OR WRONGFUL DEATH, AGAINST ANY POLITICAL SUBDIVISION OF THE STATE, OR ANY INSTRUMENTALITY OR AGENCY OF THE STATE OR A POLITICAL SUBDIVISION, ANY PUBLIC AUTHORITY OR ANY PUBLIC BENEFIT CORPORATION THAT IS ENTITLED TO RECEIVE A NOTICE OF CLAIM AS A CONDITION PRECEDENT TO COMMENCEMENT OF AN ACTION, SHALL NOT BE COMMENCED UNLESS A NOTICE OF CLAIM SHALL HAVE BEEN SERVED ON SUCH GOVERNMENTAL ENTITY WITHIN THE TIME LIMIT ESTABLISHED BY, AND IN COMPLIANCE WITH ALL THE REQUIREMENTS OF SECTION FIFTY-E OF THE GENERAL MUNICI-

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

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PAL LAW. EXCEPT IN AN ACTION FOR WRONGFUL DEATH AGAINST SUCH AN ENTITY, AN ACTION FOR DAMAGES OR 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 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 is 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; if service of the notice of claim is attempted by electronic means pursuant to paragraph (e) of subdivision three of this section, whether the delay in serving the notice of claim was based upon the failure of the comput-

er system of the city or the claimant or the attorney representing the claimant; that such claimant or attorney, as the case may be, submitted evidence or proof as is reasonable showing that (i) the submission of the claim was attempted to be electronically made in a timely manner and would have been completed but for the failure of the computer system utilized by the sender or recipient, and (ii) that upon becoming aware of both the failure of such system and the failure of the city to receive such submission, the claimant or attorney had insufficient time to make such claim within the permitted time period in a manner as otherwise prescribed by law; and whether the delay in serving the notice of claim substantially prejudiced the public corporation in maintaining its defense on the merits.

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

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

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

2. THE SECRETARY OF STATE SHALL DESIGNATE AN OFFICE WITHIN THE DEPARTMENT OF STATE WHEREAT PERSONS ARE ENTITLED BY LAW TO TIMELY SERVE A NOTICE OF CLAIM UPON THE SECRETARY OF STATE AS THE AGENT FOR A PUBLIC CORPORATION AS A CONDITION PRECEDENT TO COMMENCEMENT OF AN ACTION OR PROCEEDING. ALL PUBLIC CORPORATIONS ENTITLED TO HAVE SERVED UPON THEM A NOTICE OF CLAIM AS A CONDITION PRECEDENT TO COMMENCEMENT OF AN ACTION OR PROCEEDING SHALL, NO LATER THAN THIRTY DAYS AFTER THE DATE UPON WHICH THIS SECTION SHALL TAKE EFFECT, FILE A CERTIFICATE WITH THE SECRETARY OF STATE DESIGNATING THE SECRETARY AS THE AGENT FOR SERVICE OF A NOTICE OF CLAIM AND SHALL IN SUCH STATEMENT PROVIDE THE SECRETARY WITH THE NAME AND ADDRESS OF AN OFFICER, PERSON, OR DESIGNEE, NOMINEE OR OTHER AGENT-IN-FACT FOR THE TRANSMITTAL OF NOTICES OF CLAIM SERVED UPON THE SECRETARY AS THE PUBLIC CORPORATION'S AGENT. ANY DESIGNATED POST-OFFICE ADDRESS TO WHICH THE SECRETARY OF STATE SHALL MAIL A COPY OF THE NOTICE OF CLAIM SERVED UPON HIM OR HER AS AGENT SHALL CONTINUE TO BE THE ADDRESS TO WHICH SUCH NOTICES SHALL BE MAILED UNTIL THE PUBLIC CORPORATION SENDS A NOTICE TO THE SECRETARY INFORMING HIM OR HER OF A NEW ADDRESS TO WHICH SUCH NOTICES SHALL BE MAILED. THE INITIAL FILING WITH THE SECRETARY OF STATE SHALL ALSO CONTAIN THE APPLICABLE TIME LIMIT FOR FILING A NOTICE OF CLAIM UPON THAT PUBLIC CORPORATION, OR IF LATER CHANGED BY STATUTE, A NEW FILING SHALL BE MADE DETAILING THE ALTERED TIME LIMIT. ANY PUBLIC CORPORATION WHO DOES NOT HAVE A CURRENT AND TIMELY STATUTORY DESIGNATION FILED WITH THE SECRETARY OF STATE SHALL NOT BE ENTITLED TO THE PORTION OF THE FEE TO WHICH IT WOULD OTHERWISE BE ENTITLED PURSUANT TO SUBDIVISION FOUR OF THIS SECTION. FAILURE OF THE

PUBLIC CORPORATION TO SO FILE WITH THE SECRETARY OF STATE WILL NOT INVALIDATE ANY SERVICE OF A NOTICE OF CLAIM UPON THE PUBLIC CORPORATION WHICH HAS BEEN RECEIVED BY THE SECRETARY OF STATE.

3. THE SECRETARY OF STATE IS HEREBY EMPOWERED TO ACCEPT PROPERLY TRANSMITTED NOTICES OF CLAIMS ON BEHALF OF A PUBLIC CORPORATION, WITH THE SAME EFFECT AS IF SERVED DIRECTLY UPON A PUBLIC CORPORATION. THE SECRETARY OF STATE SHALL ACCEPT SUCH SERVICE UPON THE FOLLOWING TERMS AND CONDITIONS:

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

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

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

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

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

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

S 7. Subdivision 2 of section 880 of the general municipal law, as added by chapter 1030 of the laws of 1969, 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 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.

S 11. Subdivision 2 of section 569-a 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,] CLAIM 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] WITHIN THE TIME LIMIT ESTABLISHED BY AND IN COMPLIANCE WITH 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 12. Subdivision 2 of section 666-b of the public authorities law, as added by chapter 804 of the laws of 1990, is amended to read as follows:

2. 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, shall have been filed in the principal office of the authority within ninety days 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.

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

2. 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, shall have been filed in the principal office of the authority within ninety days after such cause of action shall have accrued] CLAIM SHALL HAVE BEEN SERVED WITHIN THE TIME LIMIT ESTABLISHED BY, AND IN COMPLIANCE WITH ALL REQUIREMENTS OF SECTION FIFTY-E OF THE GENERAL MUNICIPAL LAW.

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

1. 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 15. Subdivision 1 of section 1017 of the public authorities law, as added 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 time limit by and in compliance with section fifty-e of the general municipal law, (ii) 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 (iii) 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. An action against the authority or water board 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 19. Subdivision 1 of section 1067 of the public authorities law, as amended by chapter 804 of the laws of 1990, is amended to read as follows:

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

1. In any 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 authority or any officer, appointee 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 21. Subdivision 1 of section 1109 of the public authorities law, as amended by chapter 804 of the laws of 1990, is amended to read as follows:

1. In any 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 authority or any officer, appointee 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 22. Subdivision 1 of section 1115-u 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 water board or of any member, officer, agent or employee thereof, unless (a) a notice of claim shall have been made and served upon the authority or the water board, as the case may be, 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. An action against the authority or water board 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 23. Subdivision 1 of section 1169 of the public authorities law, as amended by chapter 804 of the laws of 1990, is amended to read as follows:

1. In any 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 authority or any officer, appointee 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 24. Subdivision 1 of section 1174-o of the public authorities law, as added by chapter 491 of the laws of 1991, 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] CAUSE OF ACTION THEREFOR SHALL HAVE ACCRUED.

S 25. Subdivision 1 of section 1197-n 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 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,

(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:

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 30. Subdivision 2 of section 1299-rr 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 31. Subdivision 2 of section 1317 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 32. Subdivision 2 of section 1342 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 33. Section 1372 of the public authorities law, as amended by chapter 804 of the laws of 1990, is amended to read as follows:

S 1372. Actions against authority. In any case founded upon a tort, except an action for wrongful death, 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. 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. 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 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.

S 37. Subdivision 2 of section 1421-p 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 38. Subdivision 2 of section 1425-q of the public authorities law, as added by chapter 617 of the laws of 1972, is amended to read as follows:

2. An action against the authority for damages for injuries to real or personal property, or for the destruction thereof, or for personal injuries or death, 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 or death 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.

S 39. Subdivision 2 of section 1440 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 40. Subdivision 2 of section 1466 of the public authorities law, as added by chapter 637 of the laws of 1948 and such section as renumbered by chapter 914 of the laws of 1957, is amended to read as follows:

2. An action against the authority for damages for injuries to real or personal property, or for the destruction thereof, or for personal injuries or death, 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 or death 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.

S 41. Subdivision 2 of section 1470-p 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.

S 42. Subdivision 2 of section 1493-q 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 43. Subdivision 2 of section 1516 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 44. Subdivision 2 of section 1541 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 45. Subdivision 2 of section 1585-q 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 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 46. Subdivision 2 of section 1590-q 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 47. Subdivision 2 of section 1595-q of the public authorities law, as added by chapter 1024 of the laws of 1968, is amended to read as follows:

2. An action against the authority for damages, for injuries to real or personal property, or for the destruction thereof, or for personal injuries or death, 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 or death 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.

S 48. Subdivision 2 of section 1596-p 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.

S 49. Subdivision 2 of section 1597-p 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.

S 50. Subdivision 2 of section 1598-p 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 51. Subdivision (b) of section 1599-qq of the public authorities law, as amended by chapter 804 of the laws of 1990, is amended to read as follows:

(b) 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 52. Subdivision 2 of section 1599-qqqq 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.

S 53. Subdivision 2 of section 1600-qq 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 54. Subdivision 2 of section 1617 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 55. Subdivision 2 of section 1621-q 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 56. Subdivision 2 of section 1622-q of the public authorities law, as added by chapter 489 of the laws of 1991, 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.

S 57. Subdivision 2 of section 1777 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, in a 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 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 in an action for wrongful death, which shall be commenced in accordance with the notice of claim and time limitation provisions of title eleven of article nine of this chapter.

S 58. Subdivision 2 of section 1918 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 founded on tort 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 59. Subdivision 2 of section 1939-g 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 founded in tort 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 60. Subdivision 2 of section 1966 of the public authorities law, as added by chapter 759 of the laws of 1967, 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 authority 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.

S 61. Section 1984 of the public authorities law, as amended by chapter 804 of the laws of 1990, is amended to read as follows:

S 1984. Actions. In any 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 authority or any officer, appointee or employee thereof, and the provisions of section fifty-e of the general municipal law shall govern the giving of such notice. 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. 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 62. Section 2032 of the public authorities law, as added by chapter 745 of the laws of 1969, is amended to read as follows:

S 2032. Actions. In any 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 authority or any officer, appointee 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 63. Subdivision 2 of section 2040-i 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 founded on tort 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 64. Subdivision 2 of section 2046-i 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 agency founded on tort 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 agency 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 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 65. Subdivision b of section 2087 of the public authorities law, as amended by chapter 804 of the laws of 1990, is amended to read as follows:

b. Except in an action for wrongful death, an action against the authority founded in tort 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 66. Subdivision 2 of section 2332 of the public authorities law, as added by chapter 915 of the laws of 1969, 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 authority 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.

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

S 2416. Actions. In any 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 any officer, appointee 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, no action shall be commenced (a) prior to the expiration of thirty days from the date on which the demand, claim or claims upon which the action is founded were presented 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 68. Section 2447 of the public authorities law, as added by chapter 902 of the laws of 1972, the closing paragraph as amended by chapter 804 of the laws of 1990, is amended to read as follows:

S 2447. Actions. In any 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 any officer, appointee 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, no action shall be commenced (a) prior to the expiration of thirty days from the date on which the demand, claim or claims upon which the action is founded were presented 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, 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 73. Subdivision 3 of section 491 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, 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 74. Section 41.29 of the mental hygiene law, as amended by chapter 588 of the laws of 1973 and as renumbered by chapter 978 of the laws of 1977, is amended to read as follows:

S 41.29 Liability of local government.

Any local government which has established a local governmental unit shall save harmless and protect the members of the board and officers and employees of such unit from financial loss arising out of any claim, demand, suit, or judgment by reason of alleged negligence or other act resulting in accidental bodily harm or injury to any person, provided such board member, officer, or employee at the time of the accident or injury was acting in the discharge of his duties within the scope of his employment under this article. No action shall be maintained under this section against such a local government, board member, officer, or employee unless a notice of claim shall have been made and served in compliance with section fifty-e of the general municipal law. EXCEPT IN AN ACTION FOR WRONGFUL DEATH, AN ACTION AGAINST SUCH A LOCAL GOVERNMENT, BOARD MEMBER, OFFICER, OR EMPLOYEE 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 75. Subdivision 1 of section 667 of the private housing finance law, as amended by chapter 804 of the laws of 1990 and as designated by chapter 702 of the laws of 1992, is amended to read as follows:

1. Except in an action for wrongful death, in any 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 corporation, any of its subsidiary corporations, or any officer, appointee or employee thereof, and the provisions of section fifty-e of the general municipal law shall govern the giving of such notice. An action 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. ANY OTHER ACTION AGAINST THE CORPORATION, ANY OF ITS SUBSIDIARY CORPORATIONS, OR ANY OTHER OFFICER, APPOINTEE OR EMPLOYEE THEREOF 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 76. Subdivision 3 of section 12 of section 1 of chapter 359 of the laws of 1968, constituting the facilities development corporation act, 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 corporation 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 member or officer of the corporation in the principal office of the corporation within ninety days after such cause of action shall have accrued] CLAIM SHALL HAVE BEEN SERVED ON THE CORPORATION 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 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 the public authorities law.

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

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

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

ARTICLE XI-A

NOTWITHSTANDING ANY OTHER PROVISION OF LAW TO THE CONTRARY, EVERY ACTION AGAINST THE AUTHORITY FOR DAMAGES OR INJURIES TO REAL OR PERSONAL PROPERTY, OR FOR THE DESTRUCTION THEREOF, OR FOR PERSONAL INJURIES OR WRONGFUL DEATH SHALL NOT BE COMMENCED UNLESS A NOTICE OF CLAIM SHALL HAVE BEEN SERVED ON THE AUTHORITY IN THE MANNER PROVIDED FOR IN THE STATE WHERE THE ACTION IS COMMENCED, AND IN COMPLIANCE WITH THE PERTINENT STATUTES OF THE STATE RELATING GENERALLY TO ACTIONS COMMENCED AGAINST THAT STATE AND IN COMPLIANCE WITH ALL THE REQUIREMENTS OF THE LAWS OF THAT STATE. WHERE SUCH STATE'S LAW PERMITS SERVICE UPON A DEPARTMENT OF THAT STATE IN LIEU OF SERVICE UPON THE PUBLIC ENTITY, SERVICE MAY BE MADE PURSUANT TO SUCH LAW. EXCEPT IN AN ACTION FOR WRONG-

FUL DEATH AGAINST SUCH AN ENTITY, AN ACTION FOR DAMAGES OR 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 OR WITHIN THE TIME PERIOD OTHERWISE PRESCRIBED BY ANY SPECIAL PROVISION OF LAW OF THAT STATE, WHICHEVER IS LONGER.

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