

5372

2013-2014 Regular Sessions

I N S E N A T E

May 16, 2013

Introduced by Sen. BONACIC -- (at request of the Office of Court Administration) -- read twice and ordered printed, and when printed to be committed to the Committee on Judiciary

AN ACT to amend the civil practice law and rules, in relation to an affirmation by any person in a civil action

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

1 Section 1. Rule 2106 of the civil practice law and rules, as amended
2 by judicial conference proposal number 3 for the year 1973, is amended
3 to read as follows:

4 Rule 2106. Affirmation of truth of statement [by attorney, physician,
5 osteopath or dentist]. The statement of [an attorney admitted to prac-
6 tice in the courts of the state, or of a physician, osteopath or
7 dentist, authorized by law to practice in the state, who is not a party
8 to an action] ANY PERSON, when subscribed and affirmed by [him] THAT
9 PERSON to be true under the penalties of perjury, may be [served or
10 filed] USED in [the] AN action in lieu of and with the same force and
11 effect as an affidavit. SUCH AFFIRMATION SHALL BE IN SUBSTANTIALLY THE
12 FOLLOWING FORM:

13 I AFFIRM THIS DAY OF , UNDER THE PENALTIES OF PERJURY
14 UNDER THE LAWS OF NEW YORK, WHICH MAY INCLUDE A FINE OR IMPRISONMENT,
15 THAT THE FOREGOING IS TRUE, AND I UNDERSTAND THAT THIS DOCUMENT MAY BE
16 FILED IN AN ACTION OR PROCEEDING IN A COURT OF LAW.

17 (SIGNATURE)

18 S 2. This act shall take effect on the first of January next succeed-
19 ing the date on which it shall have become a law.

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

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