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

7143

I N S E N A T E

April 30, 2014

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 business records of non-parties

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

Section 1. Rule 3122-a of the civil practice law and rules is amended by adding a new subdivision (d) to read as follows:

(D) THE CERTIFICATION AUTHORIZED BY THIS RULE MAY BE USED AS TO BUSINESS RECORDS PRODUCED BY NON-PARTIES WHETHER OR NOT PURSUANT TO A SUBPOENA SO LONG AS THE CUSTODIAN OR OTHER QUALIFIED WITNESS ATTESTS TO THE FACTS SET FORTH IN PARAGRAPHS ONE, TWO AND FOUR OF SUBDIVISION (A) OF THIS RULE.

S 2. This act shall take effect immediately.

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

LBD13638-01-4