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

9314

I N A S S E M B L Y

April 8, 2014

Introduced by M. of A. WEINSTEIN -- (at request of the Office of Court Administration) -- read once and referred 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