

6264

2015-2016 Regular Sessions

I N A S S E M B L Y

March 19, 2015

Introduced by M. of A. SIMOTAS, 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 the service of papers

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

1 Section 1. Paragraph 2 of subdivision (b) of rule 2103 of the civil
2 practice law and rules, as separately amended by chapters 461 and 478 of
3 the laws of 1989, is amended to read as follows:
4 2. by mailing the paper to the attorney at the address designated by
5 that attorney for that purpose or, if none is designated, at the attor-
6 ney's last known address; service by mail shall be complete upon mail-
7 ing; where a period of time prescribed by law is measured from the
8 service of a paper and service is by mail, five days shall be added to
9 the prescribed period IF THE MAILING IS MADE WITHIN THE STATE AND SIX
10 DAYS IF THE MAILING IS MADE FROM OUTSIDE THE STATE BUT WITHIN THE
11 GEOGRAPHIC BOUNDARIES OF THE UNITED STATES; or
12 S 2. Paragraph 1 of subdivision (f) of rule 2103 of the civil practice
13 law and rules, as amended by chapter 367 of the laws of 1999, is amended
14 to read as follows:
15 1. "Mailing" means the deposit of a paper enclosed in a first class
16 postpaid wrapper, addressed to the address designated by a person for
17 that purpose or, if none is designated, at that person's last known
18 address, in a post office or official depository under the exclusive
19 care and custody of the United States Postal Service within the [state]
20 UNITED STATES;
21 S 3. This act shall take effect on the first of January next succeed-
22 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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