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2435

2015-2016 Regular Sessions

I N   S E N A T E

January 23, 2015
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Introduced by Sens. GIANARIS, BRESLIN, DILAN, PERALTA, SAMPSON -- read
  twice and ordered printed, and when printed to be committed to the
  Committee on Judiciary

AN ACT to amend the New York city civil court act, the uniform district
  court act, the uniform city court act, and the uniform justice court
  act, in relation to civil jurisdictional limits

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

 1   Section 1. Section 1801 of the New York city civil court act, as
 2 amended by chapter 65 of the laws of 2010, is amended to read as
 3 follows:
 4   S 1801. Small claims defined. The term "small claim" or "small claims"
 5 as used in this act shall mean and include any cause of action for money
 6 only not in excess of [five] TEN thousand dollars exclusive of interest
 7 and costs, or any action commenced by a party aggrieved by an arbi-
 8 tration award rendered pursuant to part 137 of the rules of the chief
 9 administrator of the courts (22 NYCRR Part 137) in which the amount in
10 dispute does not exceed [five] TEN thousand dollars, provided that the
11 defendant either resides, or has an office for the transaction of busi-
12 ness or a regular employment, within the city of New York.
13   S 2. Section 1801 of the uniform district court act, as amended by
14 chapter 65 of the laws of 2010, is amended to read as follows:
15 S 1801. Small claims defined.
16   The term "small claim" or "small claims" as used in this act shall
17 mean and include any cause of action for money only not in excess of
18 [five] TEN thousand dollars exclusive of interest and costs, or any
19 action commenced by a party aggrieved by an arbitration award rendered
20 pursuant to part one hundred thirty-seven of the rules of the chief
21 administrator of the courts (22 NYCRR Part 137) in which the amount in
22 dispute does not exceed [five] TEN thousand dollars, provided that the
23 defendant either resides, or has an office for the transaction of busi-

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 1  ness  or  a  regular  employment,  within a district of the court in the
 2  county.
 3    S 3. Section 1801 of the uniform city court act, as amended by chapter
 4  65 of the laws of 2010, is amended to read as follows:
 5  S 1801. Small claims defined.
 6    The  term  "small  claim"  or "small claims" as used in this act shall
 7  mean and include any cause of action for money only  not  in  excess  of
 8  [five]  TEN  thousand  dollars  exclusive  of interest and costs, or any
 9  action commenced by a party aggrieved by an arbitration  award  rendered
10  pursuant  to  part  137  of  the rules of the chief administrator of the
11  courts (22 NYCRR Part 137) in which  the  amount  in  dispute  does  not
12  exceed [$5,000,] TEN THOUSAND DOLLARS provided that the defendant either
13  resides,  or  has an office for the transaction of business or a regular
14  employment, within the county.
15    S 4. Section 1801 of the uniform justice  court  act,  as  amended  by
16  chapter 76 of the laws of 1994, is amended to read as follows:
17  S 1801. Small claims defined.
18    The  term  "small  claim"  or "small claims" as used in this act shall
19  mean and include any cause of action for money only  not  in  excess  of
20  [three]  TEN  thousand dollars exclusive of interest and costs, provided
21  that the defendant either resides, or has an office for the  transaction
22  of  business  or a regular employment, within the municipality where the
23  court is located. However, where a judge of the county  court,  pursuant
24  to  subdivision  (g)  of  section three hundred twenty-five of the civil
25  practice law and rules, transfers a small claim from the town or village
26  court having jurisdiction over the matter to  another  town  or  village
27  court within the same county, the court to which it is transferred shall
28  have jurisdiction to determine the claim.
29    S 5. This act shall take effect on the first of January next succeed-
30  ing the date on which it shall have become a  law  and  shall  apply  to
31  actions or proceedings filed on or after such date.
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