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

5339

2015-2016 Regular Sessions

I N  S E N A T E

May 13, 2015

Introduced by Sen. DIAZ -- read twice and ordered printed, and when printed to be committed to the Committee on Local Government

AN ACT to amend the general municipal law, in relation to municipal liability for negligence

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

Section 1. This act shall be known and may be cited as "Ariel's Law".

S 2. The general municipal law is amended by adding a new section 50-o to read as follows:

S 50-O. MUNICIPAL LIABILITY OR NEGLIGENCE IF A WITNESS CONTACTS THE MUNICIPALITY. IN AN EMERGENCY SITUATION WHERE AN INJURED PARTY IS UNABLE TO ACT ON HIS OR HER BEHALF, A SPECIAL RELATIONSHIP WITH A MUNICIPALITY SHALL BE ESTABLISHED FOR THE PURPOSES OF A NEGLIGENCE CLAIM WHEN ANY INDIVIDUAL, REGARDLESS OF HIS OR HER RELATIONSHIP TO THE INDIVIDUAL, PLACES A CALL OR ANY OTHER FORM OF CONTACT TO A REPRESENTATIVE OF THE MUNICIPALITY PERTAINING TO THE OCCURRENCE OF THE INJURY. IT SHALL NOT BE REQUIRED THAT THE INJURED PARTY BE AWARE OR HAVE KNOWLEDGE AT THE TIME THAT THE CALL OR CONTACT WAS MADE ON HIS OR HER BEHALF.

S 3. This act shall take effect immediately.

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

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