

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 ASSEM-
BLY, DO ENACT AS FOLLOWS:

1 Section 1. This act shall be known and may be cited as "Ariel's Law".
2 S 2. The general municipal law is amended by adding a new section 50-o
3 to read as follows:
4 S 50-O. MUNICIPAL LIABILITY OR NEGLIGENCE IF A WITNESS CONTACTS THE
5 MUNICIPALITY. IN AN EMERGENCY SITUATION WHERE AN INJURED PARTY IS UNABLE
6 TO ACT ON HIS OR HER BEHALF, A SPECIAL RELATIONSHIP WITH A MUNICIPALITY
7 SHALL BE ESTABLISHED FOR THE PURPOSES OF A NEGLIGENCE CLAIM WHEN ANY
8 INDIVIDUAL, REGARDLESS OF HIS OR HER RELATIONSHIP TO THE INDIVIDUAL,
9 PLACES A CALL OR ANY OTHER FORM OF CONTACT TO A REPRESENTATIVE OF THE
10 MUNICIPALITY PERTAINING TO THE OCCURRENCE OF THE INJURY. IT SHALL NOT
11 BE REQUIRED THAT THE INJURED PARTY BE AWARE OR HAVE KNOWLEDGE AT THE
12 TIME THAT THE CALL OR CONTACT WAS MADE ON HIS OR HER BEHALF.
13 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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