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

7320

2015-2016 Regular Sessions

I N A S S E M B L Y

May 5, 2015

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 admissibility of an opposing party's statement

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

Section 1. The civil practice law and rules is amended by adding a new section 4551 to read as follows:

S 4551. ADMISSIBILITY OF AN OPPOSING PARTY'S STATEMENT. A STATEMENT OFFERED AGAINST AN OPPOSING PARTY SHALL NOT BE EXCLUDED FROM EVIDENCE AS HEARSAY IF MADE BY A PERSON WHOM THE OPPOSING PARTY AUTHORIZED TO MAKE A STATEMENT ON THE SUBJECT OR BY THE OPPOSING PARTY'S AGENT OR EMPLOYEE ON A MATTER WITHIN THE SCOPE OF THAT RELATIONSHIP AND DURING THE EXISTENCE OF THAT RELATIONSHIP.

S 2. This act shall take effect immediately and shall apply to all actions pending on or after its effective date.

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

LBD09375-02-5