

STATE OF NEW YORK

2780

2017-2018 Regular Sessions

IN ASSEMBLY

January 23, 2017

Introduced by M. of A. M. G. MILLER -- read once and referred to the
Committee on Judiciary

AN ACT to amend the civil practice law and rules, in relation to allow-
ing fees to be charged in connection with the service of information
subpoenas

The People of the State of New York, represented in Senate and Assem-
bly, do enact as follows:

1 Section 1. Subdivision (b) of rule 5224 of the civil practice law and
2 rules, as amended by chapter 302 of the laws of 1994, is amended to read
3 as follows:

4 (b) Fees. A judgment debtor served with a subpoena under this [~~section~~
5 ~~and any~~] rule shall not be entitled to any fee. Any other person served
6 with an information subpoena shall [~~not be entitled to any fee~~] be paid
7 in advance the sum of ten dollars, except that a person served with an
8 information subpoena shall not be entitled to a fee where the state, a
9 municipality, or an agency or officer of the state or a municipality, is
10 the judgment creditor. Any other person served with a subpoena requir-
11 ing attendance or the production of books and papers shall be paid or
12 tendered in advance authorized traveling expenses and one day's witness
13 fee.

14 § 2. This act shall take effect on the first of January next succeed-
15 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.

LBD02740-01-7