# STATE OF NEW YORK

11373

# IN ASSEMBLY

October 19, 2018

Introduced by COMMITTEE ON RULES -- (at request of M. of A. Montesano) -- read once and referred to the Committee on Judiciary

AN ACT to amend the civil practice law and rules, in relation to prohibiting affirmative defenses in certain defamation actions

**The People of the State of New York, represented in Senate and Assembly, do enact as follows:**

Section 1. Section 3018 of the civil practice law and rules is amended by adding a new subdivision (c) to read as follows:

**(c) Defamation. However, qualified privilege shall not be an affirmative defense to defamation if the statements giving rise to the claim are made in the course of a judicial proceeding or a quasi-judicial proceeding and are not pertinent or cannot be deemed relevant despite every liberality of interpretation to such proceedings.**

§ 2. This act shall take effect immediately; provided, however, the provisions contained in subdivision (c) of section 3018 of the civil practice law and rules shall apply to actions commenced on or before the effective date of this act.

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

LBD16539-01-8