

# STATE OF NEW YORK

2157

2017-2018 Regular Sessions

## IN ASSEMBLY

January 17, 2017

Introduced by M. of A. ZEBROWSKI, GALEF, O'DONNELL, DenDEKKER, GUNTHER, QUART, STECK, JAFFEE, OTIS, BLAKE, SKOUFIS, THIELE, MOSLEY, ABBATE, BARRON, GRAF, MONTESANO, WALTER, PALMESANO, FRIEND, PALUMBO, BRABENEC, PICHARDO, BUCHWALD, GOTTFRIED, GARBARINO, ENGLEBRIGHT, HOOPER -- Multi-Sponsored by -- M. of A. CROUCH, GLICK, MAGEE, McDONOUGH, McLAUGHLIN, PEOPLES-STOKES, SIMON, STEC -- read once and referred to the Committee on Judiciary

AN ACT to amend the uniform justice court act, in relation to civil jurisdictional limits

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

1 Section 1. Subdivision a of section 201 of the uniform justice court  
2 act, as amended by chapter 685 of the laws of 1977, is amended to read  
3 as follows:

4 a. The court shall have jurisdiction as set forth in this article and  
5 as elsewhere provided by law[~~, subject, in the case of a city court~~  
6 ~~governed by this act, to the limitations stated in § 2300 (b) (2) (i) of~~  
7 ~~this act~~]. The phrase "[~~\$3000~~] \$5000", whenever it appears herein, shall  
8 be taken to mean "[~~\$3000~~] \$5000 exclusive of interest and costs"[~~,~~  
9 ~~except that, in the case of a city court governed by this act whose~~  
10 ~~monetary jurisdiction is, pursuant to § 2300 (b) (2) (i) of this act,~~  
11 ~~below \$3000, it shall be taken to mean such lesser sum as is applicable~~  
12 ~~in the particular court, exclusive of interest and costs~~].

13 § 2. Section 202 of the uniform justice court act, as amended by chap-  
14 ter 685 of the laws of 1977, is amended to read as follows:

15 § 202. Money actions and actions to recover chattels.

16 Notwithstanding any other provision of law, the court shall have  
17 jurisdiction of actions and proceedings for the recovery of money or  
18 chattels where the amount sought to be recovered or the value of the  
19 property does not exceed [~~\$3000~~] \$5000.

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

LBD04634-01-7

1     § 3. Section 1801 of the uniform justice court act, as amended by  
2 chapter 76 of the laws of 1994, is amended to read as follows:

3     § 1801. Small claims defined.

4     The term "small claim" or "small claims" as used in this act shall  
5 mean and include any cause of action for money only not in excess of  
6 [~~three~~] five thousand dollars exclusive of interest and costs, provided  
7 that the defendant either resides, or has an office for the transaction  
8 of business or a regular employment, within the municipality where the  
9 court is located. However, where a judge of the county court, pursuant  
10 to subdivision (g) of section three hundred twenty-five of the civil  
11 practice law and rules, transfers a small claim from the town or village  
12 court having jurisdiction over the matter to another town or village  
13 court within the same county, the court to which it is transferred shall  
14 have jurisdiction to determine the claim.

15     § 4. This act shall take effect on the first of January next succeed-  
16 ing the date on which it shall have become a law and shall apply to  
17 actions or proceedings filed on or after such date.