STATE OF NEW YORK

3042

2017-2018 Regular Sessions

IN SENATE

January 19, 2017

Introduced by Sens. GIANARIS, BRESLIN, DILAN, PERALTA -- read twice and ordered printed, and when printed to be committed to the Committee on Judiciary

AN ACT to amend the New York city civil court act, the uniform district court act, the uniform city court act, and 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:

Section 1. Section 1801 of the New York city civil court act, as amended by chapter 65 of the laws of 2010, is amended to read as follows:

§ 1801. Small claims defined. The term "small claim" or "small claims" as used in this act shall mean and include any cause of action for money only not in excess of [~~five~~] ten thousand dollars exclusive of interest and costs, or any action commenced by a party aggrieved by an arbitration award rendered pursuant to part 137 of the rules of the chief administrator of the courts (22 NYCRR Part 137) in which the amount in dispute does not exceed [~~five~~] ten thousand dollars, provided that the defendant either resides, or has an office for the transaction of business or a regular employment, within the city of New York.

§ 2. Section 1801 of the uniform district court act, as amended by chapter 65 of the laws of 2010, is amended to read as follows:

§ 1801. Small claims defined.

The term "small claim" or "small claims" as used in this act shall mean and include any cause of action for money only not in excess of [~~five~~] ten thousand dollars exclusive of interest and costs, or any action commenced by a party aggrieved by an arbitration award rendered pursuant to part one hundred thirty-seven of the rules of the chief administrator of the courts (22 NYCRR Part 137) in which the amount in dispute does not exceed [~~five~~] ten thousand dollars, provided that the defendant either resides, or has an office for the transaction of busi-

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

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ness or a regular employment, within a district of the court in the county.

§ 3. Section 1801 of the uniform city court act, as amended by chapter 65 of the laws of 2010, is amended to read as follows:

§ 1801. Small claims defined.

The term "small claim" or "small claims" as used in this act shall mean and include any cause of action for money only not in excess of [~~five~~] ten thousand dollars exclusive of interest and costs, or any action commenced by a party aggrieved by an arbitration award rendered pursuant to part 137 of the rules of the chief administrator of the courts (22 NYCRR Part 137) in which the amount in dispute does not exceed [~~$5,000,~~] ten thousand dollars provided that the defendant either resides, or has an office for the transaction of business or a regular employment, within the county.

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

§ 1801. Small claims defined.

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

§ 5. This act shall take effect on the first of January next succeeding the date on which it shall have become a law and shall apply to actions or proceedings filed on or after such date.