STATE OF NEW YORK

5231--A

2017-2018 Regular Sessions

IN SENATE

March 16, 2017

Introduced by Sen. STAVISKY -- read twice and ordered printed, and when printed to be committed to the Committee on Judiciary -- recommitted to the Committee on Judiciary in accordance with Senate Rule 6, sec. 8 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the civil practice law and rules, in relation to establishing a time period in which an action to recover damages for injury arising from domestic violence must be brought

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

Section 1. Section 215 of the civil practice law and rules is amended by adding a new subdivision 9 to read as follows:

9. Notwithstanding the opening paragraph of this section, an action that may be brought to recover damages for injury arising from domestic violence shall be commenced within two years. For the purposes of this subdivision, domestic violence means an act that would constitute a violent felony offense pursuant to section 70.02 of the penal law or a family offense as pursuant to subdivision one of section eight hundred twelve of the family court act that is alleged to have been committed by a member of the same family or household, as defined in subdivision one of section eight hundred twelve of the family court act. Nothing in this subdivision shall be construed to modify any time limitation contained in section two hundred fourteen of this article or subdivision eight of this section.

§ 2. This act shall take effect immediately.

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

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