# STATE OF NEW YORK

304

2019-2020 Regular Sessions

# IN ASSEMBLY

**(Prefiled)**

January 9, 2019

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

AN ACT to amend the civil practice law and rules, in relation to the statute of limitations for actions based on harassment in the workplace

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

Section 1. The section heading and subdivisions 7 and 8 of section 213 of the civil practice law and rules, the section heading as amended and subdivision 7 as renumbered by chapter 43 of the laws of 1975, subdivision 7 as amended by chapter 532 of the laws of 1963, and subdivision 8 as amended by chapter 403 of the laws of 2004, are amended and a new subdivision 9 is added to read as follows:

Actions to be commented within six years: where not otherwise provided for; on contract; on sealed instrument; on bond or note, and mortgage upon real property; by state based on misappropriation of public property; based on mistake; by corporation against director, officer or stockholder; based on fraud**; based on harassment in the workplace**.

7. an action by or on behalf of a corporation against a present or former director, officer or stockholder for an accounting, or to procure a judgment on the ground of fraud, or to enforce a liability, penalty or forfeiture, or to recover damages for waste or for an injury to property or for an accounting in conjunction therewith[~~.~~]**;**

8. an action based upon fraud; the time within which the action must be commenced shall be the greater of six years from the date the cause of action accrued or two years from the time the plaintiff or the person under whom the plaintiff claims discovered the fraud, or could with reasonable diligence have discovered it[~~.~~]**;**

**9. an action based upon harassment in the workplace pursuant to the civil rights law or the human rights law.**

§ 2. This act shall take effect on the sixtieth day after it shall have become a law.

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

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