

STATE OF NEW YORK

7060

2019-2020 Regular Sessions

IN ASSEMBLY

April 4, 2019

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

AN ACT to amend the civil practice law and rules, in relation to the "Truth Court Act"

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

1 Section 1. This act shall be known and may be cited as the "Truth
2 Court Act".

3 § 2. Subdivision (a) of section 3017 of the civil practice law and
4 rules, as amended by chapter 694 of the laws of 2003, is amended and a
5 new subdivision (d) is added to read as follows:

6 (a) Generally. Except as otherwise provided in [~~subdivision~~] subdivi-
7 sions (c) and (d) of this section, every complaint, counterclaim, cross-
8 claim, interpleader complaint, and third-party complaint shall contain a
9 demand for the relief to which the pleader deems himself entitled.
10 Relief in the alternative or of several different types may be demanded.
11 Except as provided in section 3215, the court may grant any type of
12 relief within its jurisdiction appropriate to the proof whether or not
13 demanded, imposing such terms as may be just.

14 (d) Libel actions. In an action for only libel, the complaint is not
15 required to contain a demand for relief. Such actions where no party
16 makes a demand for relief as authorized under this subdivision shall
17 proceed as if a demand for relief was plead except that no relief shall
18 be granted in such an action and no party shall file a counterclaim,
19 cross-claim, interpleader complaint, or third-party complaint in such
20 action which contains a demand for relief.

21 § 3. 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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