

STATE OF NEW YORK

4222

2019-2020 Regular Sessions

IN SENATE

March 5, 2019

Introduced by Sen. HARCKHAM -- read twice and ordered printed, and when printed to be committed to the Committee on Judiciary

AN ACT to amend the civil practice law and rules, in relation to the licensing board in the county of Westchester

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

1 Section 1. Subdivision (e) of rule 3015 of the civil practice law and
2 rules, as amended by chapter 21 of the laws of 2013, is amended to read
3 as follows:

4 (e) License to do business. Where the plaintiff's cause of action
5 against a consumer arises from the plaintiff's conduct of a business
6 which is required by state or local law to be licensed by the department
7 of consumer affairs of the city of New York, the Suffolk county depart-
8 ment of consumer affairs, [~~the Westchester county department of consumer~~
9 ~~affairs/weight-measures,~~ the county of Rockland, the county of Putnam,
10 the county of Westchester, or the Nassau county department of consumer
11 affairs, the complaint shall allege, as part of the cause of action,
12 that plaintiff was duly licensed at the time of services rendered and
13 shall contain the name and number, if any, of such license and the
14 governmental agency which issued such license. The failure of the plain-
15 tiff to comply with this subdivision will permit the defendant to move
16 for dismissal pursuant to paragraph seven of subdivision (a) of rule
17 thirty-two hundred eleven of this chapter.

18 § 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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