

STATE OF NEW YORK

8441--A

IN SENATE

June 3, 2020

Introduced by Sen. HOYLMAN -- read twice and ordered printed, and when printed to be committed to the Committee on Judiciary -- 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 personal property exemptions; and to prohibit the issuance and enforcement of certain money judgments against a natural person, the accumulation of interest on certain money judgments against a natural person, and the entry of certain default judgments during the period of the COVID-19 state disaster emergency; and provides for the repeal of certain provisions upon expiration thereof

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

1 Section 1. Notwithstanding the provisions of sections 5222, 5230,
2 5232, and 5233 of the civil practice law and rules or any other
3 provision of law to the contrary, no court shall issue, and no judgment
4 creditor, sheriff, marshal or other agent of the judgment creditor shall
5 enforce, a money judgment against a natural person, except where the
6 judgment is for child support, spousal support, maintenance, or alimony,
7 or where the court has, in its discretion, allowed judgment enforcement
8 upon a judgment creditor's emergency application.

9 § 2. Notwithstanding the provisions of section 5004 of the civil prac-
10 tice law and rules and any other provision of law to the contrary, no
11 interest shall accumulate on money judgments against natural persons.

12 § 3. Notwithstanding the provisions of section 3215 of the civil prac-
13 tice law and rules and any other provision of law to the contrary, where
14 the defendant is a natural person, no failure to comply with payment
15 obligations on a stipulation of settlement made after commencement of an
16 action shall be deemed a failure to comply with the stipulation that
17 could serve as a basis for entry of a default judgment.

18 § 4. Section 5205 of the civil practice law and rules is amended by
19 adding a new subdivision (p) to read as follows:

20 (p) One hundred percent of any federal, state, or local government
21 financial assistance made available to individuals in express response

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

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1 to a disaster, catastrophe, public health crisis, or similar public
2 emergency are exempt from application to the satisfaction of a money
3 judgment. Such financial assistance includes but is not limited to
4 monies made available under section 2201 of the federal Coronavirus Aid,
5 Relief, and Economic Security Act of 2020 and any other federal, state,
6 or local government financial assistance made available to individuals
7 in express response to the COVID-19 pandemic.

8 § 5. This act shall take effect immediately; provided that sections
9 one, two and three of this act shall expire and be deemed repealed thir-
10 ty days following the end of the state disaster emergency declared by
11 executive order 202 of 2020, as amended.