

# STATE OF NEW YORK

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1280

2019-2020 Regular Sessions

## IN SENATE

January 14, 2019

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Introduced by Sen. GIANARIS -- 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 establishing a complete bar to recovery by persons injured while committing a crime

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

1 Section 1. The civil practice law and rules is amended by adding a new  
2 section 1411-a to read as follows:

3 § 1411-a. Assumption of risk by persons convicted of a crime. In any  
4 action to recover damages for personal injury, when such injury occurred  
5 while the claimant was engaged in the commission of a crime or immediate  
6 flight therefrom, the claimant shall be completely barred from recovery  
7 of any damages from the victim or anyone acting on behalf of the victim,  
8 if such claimant was convicted of such crime.

9 § 2. This act shall take effect immediately and shall apply to inju-  
10 ries occurring on or after such effective date.

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

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