

STATE OF NEW YORK

233

2021-2022 Regular Sessions

IN ASSEMBLY

(Prefiled)

January 6, 2021

Introduced by M. of A. L. ROSENTHAL, NIOU, SEAWRIGHT, GOTTFRIED, GALEF, CRUZ, EPSTEIN, JACOBSON, QUART, PAULIN -- 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:

1 Section 1. The section heading and subdivisions 7, 8 and 9 of section
2 213 of the civil practice law and rules, the section heading as amended
3 and subdivision 7 as renumbered by chapter 43 of the laws of 1975,
4 subdivision 7 as amended by chapter 532 of the laws of 1963, and subdivi-
5 sion 8 as amended by chapter 403 of the laws of 2004, and subdivision
6 9 as added by chapter 184 of the laws of 2019 are amended and a new
7 subdivision 10 is added to read as follows:

8 Actions to be commenced within six years: where not otherwise provided
9 for; on contract; on sealed instrument; on bond or note, and mortgage
10 upon real property; by state based on misappropriation of public proper-
11 ty; based on mistake; by corporation against director, officer or stock-
12 holder; based on fraud; based on harassment in the workplace.

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

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

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

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1 9. an action by the attorney general pursuant to article
2 twenty-three-A of the general business law or subdivision twelve of
3 section sixty-three of the executive law[~~✓~~];

4 10. an action based upon harassment in the workplace pursuant to the
5 civil rights law or the human rights law.

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