

STATE OF NEW YORK

4849

2021-2022 Regular Sessions

IN ASSEMBLY

February 8, 2021

Introduced by M. of A. CRUZ -- read once and referred to the Committee on Codes

AN ACT to amend the civil practice law and rules, in relation to interest to be recovered upon a sum awarded in certain circumstances

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

- 1 Section 1. Subdivisions (a) and (c) of section 5001 of the civil practice law and rules are amended to read as follows:
- 2
- 3 (a) Actions in which recoverable. Interest shall be recovered upon a
- 4 sum awarded because of a breach of performance of a contract, or because
- 5 of an act or omission depriving or otherwise interfering with title to,
- 6 or possession or enjoyment of, property, or for bodily injury, except
- 7 that in an action of an equitable nature, interest and the rate and date
- 8 from which it shall be computed shall be in the court's discretion.
- 9 (c) Specifying date; computing interest. The date from which interest
- 10 is to be computed shall be specified in the verdict, report or decision.
- 11 In all cases involving bodily injury, the interest shall be computed
- 12 from the date of injury or loss. If a jury is discharged without specifying the date, the court upon motion shall fix the date, except that
- 13 where the date is certain and not in dispute, the date may be fixed by
- 14 the clerk of the court upon affidavit. The amount of interest shall be
- 15 computed by the clerk of the court, to the date the verdict was rendered
- 16 or the report or decision was made, and included in the total sum
- 17 awarded.
- 18
- 19 § 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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