

STATE OF NEW YORK

1068

2021-2022 Regular Sessions

IN SENATE

January 6, 2021

Introduced by Sens. BIAGGI, HOYLMAN -- 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 judgments

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

1 Section 1. Section 5011 of the civil practice law and rules, as
2 amended by section 52 of subpart B of part C of chapter 62 of the laws
3 of 2011, is amended to read as follows:

4 § 5011. Definition and content of judgment. A judgment is the determi-
5 nation of the rights of the parties in an action or special proceeding
6 and may be either interlocutory or final. A judgment shall refer to, and
7 state the result of, the verdict or decision, or recite the default upon
8 which it is based. A judgment may direct that property be paid into
9 court when the party would not have the benefit or use or control of
10 such property or where special circumstances make it desirable that
11 payment or delivery to the party entitled to it should be withheld.

12 Estimations, measures, or calculations of past, present, or future
13 damages for lost earnings or impaired earning capacity resulting from
14 personal injury or wrongful death shall not be reduced based on race,
15 creed, color, national origin, religion, sexual orientation, gender
16 identity or expression, military status, sex, familial status, marital
17 status, or status as a victim of domestic violence. In any case where
18 damages are awarded to an inmate serving a sentence of imprisonment with
19 the state department of corrections and community supervision or to a
20 prisoner confined at a local correctional facility, the court shall give
21 prompt written notice to the office of victim services, and at the same
22 time shall direct that no payment be made to such inmate or prisoner for
23 a period of thirty days following the date of entry of the order
24 containing such direction.

25 § 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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