

STATE OF NEW YORK

8763

IN SENATE

April 13, 2022

Introduced by Sen. GAUGHRAN -- 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 the statute of limitations for public water suppliers to commence an action for injury to property

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

1 Section 1. Subdivision 1 of section 214-h of the civil practice law
2 and rules is amended by adding a new paragraph (i) to read as follows:

3 (i) "Emerging contaminant" shall mean any physical, chemical, microbi-
4 ological or radiological substance that has ever been or ever will be
5 identified or listed pursuant to paragraph a or b of subdivision three
6 of section eleven hundred twelve of the public health law or that has
7 ever been or ever will be required to be identified or listed as an
8 emerging contaminant pursuant to paragraph c of subdivision three of
9 section eleven hundred twelve of the public health law or that is iden-
10 tified or listed as an emerging contaminant pursuant to any other law.

11 § 2. Section 214-h of the civil practice law and rules is amended by
12 adding a new subdivision 5 to read as follows:

13 5. Any action involving an emergent contaminant that is barred as of
14 the effective date of this subdivision because of the applicable period
15 of limitation has expired is hereby revived, and such action thereon may
16 be commenced and prosecuted provided such action is commenced either
17 before or in accordance with the time periods set forth in subdivision
18 two of this section.

19 § 3. This act shall take effect immediately.

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

LBD15232-01-2