STATE OF NEW YORK

8763--A

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 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

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, civil claim, or cause of action for injury to property

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

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

(i) "Emerging contaminant" shall mean any physical, chemical, microbiological or radiological substance that has ever been or ever will be identified or listed pursuant to paragraph a or b of subdivision three of section eleven hundred twelve of the public health law or that has ever been or ever will be required to be identified or listed as an emerging contaminant pursuant to paragraph c of subdivision three of section eleven hundred twelve of the public health law or that is identified or listed as an emerging contaminant pursuant to any other law.

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

5. Any action, civil claim, or cause of action involving an emerging contaminant that is barred as of the effective date of this subdivision because the applicable period of limitation has expired is hereby revived, and such action, civil claim, or cause of action thereon may be commenced and prosecuted provided such action, civil claim, or cause of action is commenced either before or within one year and six months following the effective date of this subdivision.

§ 3. 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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