

# STATE OF NEW YORK

6446

2021-2022 Regular Sessions

## IN ASSEMBLY

March 17, 2021

Introduced by M. of A. SANTABARBARA -- read once and referred to the Committee on Judiciary

AN ACT to amend the uniform justice court act, in relation to raising the jurisdictional amount for small claims cases

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

1 Section 1. Subdivision a of section 201 of the uniform justice court  
2 act, as amended by chapter 685 of the laws of 1977, is amended to read  
3 as follows:

4 a. The court shall have jurisdiction as set forth in this article and  
5 as elsewhere provided by law, subject, in the case of a city court  
6 governed by this act, to the limitations stated in §2300 (b) (2) (i) of  
7 this act. The phrase "~~[\$3000]~~ ten thousand dollars", whenever it appears  
8 herein, shall be taken to mean "~~[\$3000]~~ ten thousand dollars exclusive  
9 of interest and costs", except that, in the case of a city court  
10 governed by this act whose monetary jurisdiction is, pursuant to §2300  
11 (b) (2) (i) of this act, below ~~[\$3000]~~ ten thousand dollars, it shall be  
12 taken to mean such lesser sum as is applicable in the particular court,  
13 exclusive of interest and costs.

14 § 2. Section 202 of the uniform justice court act, as amended by chap-  
15 ter 685 of the laws of 1977, is amended to read as follows:

16 § 202. Money actions and actions to recover chattels.

17 Notwithstanding any other provision of law, the court shall have  
18 jurisdiction of actions and proceedings for the recovery of money or  
19 chattels where the amount sought to be recovered or the value of the  
20 property does not exceed ~~[\$3000]~~ ten thousand dollars.

21 § 3. Section 208 of the uniform justice court act, as amended by chap-  
22 ter 685 of the laws of 1977, is amended to read as follows:

23 § 208. Counterclaims.

24 The Court shall have jurisdiction of any counterclaim whose subject  
25 matter would be within its jurisdiction if sued upon separately. If a

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

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1 counterclaim for money only in excess of [~~\$3000~~] ten thousand dollars is  
2 interposed, the court may entertain it to the extent of [~~\$3000~~] ten  
3 thousand dollars but it shall be deemed waived as to the excess above  
4 [~~\$3000~~] ten thousand dollars.

5 § 4. Section 211 of the uniform justice court act, as amended by chap-  
6 ter 685 of the laws of 1977, is amended to read as follows:

7 § 211. Joinder of causes of action in complaint; effect on jurisdiction.

8 Where several causes of action are asserted in the complaint, and each  
9 of them would be within the jurisdiction of the court if sued upon sepa-  
10 rately, the court shall have jurisdiction of the action. In such case  
11 judgment may be rendered by the court in excess of [~~\$3000~~] ten thousand  
12 dollars if such excess result solely because of such joinder.

13 § 5. Section 1801 of the uniform justice court act, as amended by  
14 chapter 76 of the laws of 1994, is amended to read as follows:

15 § 1801. Small claims defined.

16 The term "small claim" or "small claims" as used in this act shall  
17 mean and include any cause of action for money only not in excess of  
18 [~~three~~] ten thousand dollars exclusive of interest and costs, provided  
19 that the defendant either resides, or has an office for the transaction  
20 of business or a regular employment, within the municipality where the  
21 court is located. However, where a judge of the county court, pursuant  
22 to subdivision (g) of section three hundred twenty-five of the civil  
23 practice law and rules, transfers a small claim from the town or village  
24 court having jurisdiction over the matter to another town or village  
25 court within the same county, the court to which it is transferred shall  
26 have jurisdiction to determine the claim.

27 § 6. This act shall take effect on the ninetieth day after it shall  
28 have become a law.