STATE OF NEW YORK

8081--B

Cal. No. 430

2023-2024 Regular Sessions

IN ASSEMBLY

September 27, 2023

Introduced by M. of A. BORES, LEE, BURDICK, SILLITTI, WEPRIN -- read once and referred to the Committee on Judiciary -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- recommitted to the Committee on Judiciary in accordance with Assembly Rule 3, sec. 2 -- reported from committee, advanced to a third reading, amended and ordered reprinted, retaining its place on the order of third reading

AN ACT to amend the civil practice law and rules, in relation to requiring proof of service to include the server's perception of various characteristics of the recipient in the description of the person to whom personal service of a summons was delivered

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

Section 1. Short title. This act shall be known and may be cited as the "stop civil discrimination act".

§ 2. Subdivision (b) of rule 306 of the civil practice law and rules, as amended by chapter 103 of the laws of 1977, is amended to read as follows:

(b) Personal service. Whenever service is made pursuant to this article by delivery of the summons to an individual, proof of service shall also include, in addition to any other requirement, a description of the person to whom it was so delivered, including, but not limited to, [~~sex, color of skin~~] **the process server's perception of the person's: gender, race**, hair color, approximate age, approximate weight and height, and other identifying features.

§ 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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