

STATE OF NEW YORK

144

2023-2024 Regular Sessions

IN SENATE

(Prefiled)

January 4, 2023

Introduced by Sen. GIANARIS -- 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 establishing a complete bar to recovery by persons injured while committing a crime

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

1 Section 1. The civil practice law and rules is amended by adding a new
2 section 1411-a to read as follows:

3 § 1411-a. Assumption of risk by persons convicted of a crime. In any
4 action to recover damages for personal injury, when such injury occurred
5 while the claimant was engaged in the commission of a crime or immediate
6 flight therefrom, the claimant shall be completely barred from recovery
7 of any damages from the victim or anyone acting on behalf of the victim,
8 if such claimant was convicted of such crime.

9 § 2. This act shall take effect immediately and shall apply to inju-
10 ries occurring on or after such effective date.

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

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