

STATE OF NEW YORK

2092

2023-2024 Regular Sessions

IN SENATE

January 18, 2023

Introduced by Sen. PALUMBO -- read twice and ordered printed, and when printed to be committed to the Committee on Judiciary

AN ACT to amend the uniform justice court act, in relation to the monetary jurisdiction of justice courts

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]~~ \$15,000", whenever it appears herein,
8 shall be taken to mean "~~[\$3000]~~ \$15,000 exclusive of interest and
9 costs", except that, in the case of a city court governed by this act
10 whose monetary jurisdiction is, pursuant to § 2300 (b) (2) (i) of this
11 act, below ~~[\$3000]~~ \$15,000, it shall be taken to mean such lesser sum as
12 is applicable in the particular court, exclusive of interest and costs.

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

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

16 Notwithstanding any other provision of law, the court shall have
17 jurisdiction of actions and proceedings for the recovery of money or
18 chattels where the amount sought to be recovered or the value of the
19 property does not exceed ~~[\$3000]~~ \$15,000.

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

22 § 208. Counterclaims.

23 The Court shall have jurisdiction of any counterclaim whose subject
24 matter would be within its jurisdiction if sued upon separately. If a
25 counterclaim for money only in excess of ~~[\$3000]~~ \$15,000 is interposed,

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

LBD04844-01-3

1 the court may entertain it to the extent of [~~\$3000~~ \$15,000 but it shall
2 be deemed waived as to the excess above [~~\$3000~~ \$15,000.

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

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

6 Where several causes of action are asserted in the complaint, and each
7 of them would be within the jurisdiction of the court if sued upon sepa-
8 rately, the court shall have jurisdiction of the action. In such case
9 judgment may be rendered by the court in excess of [~~\$3000~~ \$15,000 if
10 such excess result solely because of such joinder.

11 § 5. Section 1801 of the uniform justice court act, as amended by
12 chapter 485 of the laws of 2021, is amended to read as follows:

13 § 1801. Small claims defined.

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

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