STATE OF NEW YORK

6887

2023-2024 Regular Sessions

IN SENATE

May 12, 2023

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

AN ACT to amend the New York city civil court act, the uniform city court act, the uniform district court act and the uniform justice court act, in relation to expanding the available jurisdiction for issuing information subpoenas

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

Section 1. Subdivision (d) of section 1812 of the New York city civil court act, as amended by chapter 80 of the laws of 1992, is amended to read as follows:

(d) Where a judgment has been entered in a small claims court and remains unsatisfied, the small claims clerk shall, upon request, issue information subpoenas, at nominal cost, for the judgment creditor and provide the creditor with assistance on their preparation and use. **Notwithstanding section twelve hundred one of this act, the court shall issue such information subpoenas to be served outside the city of New York or in a county adjoining such city upon request.** The court shall have the same power as the supreme court to punish a contempt of court committed with respect to an information subpoena.

§ 2. Subdivision (d) of section 1812 of the uniform city court act, as amended by chapter 80 of the laws of 1992, is amended to read as follows:

(d) Where a judgment has been entered in a small claims court and remains unsatisfied, the small claims clerk shall, upon request, issue information subpoenas, at nominal cost, for the judgment creditor and provide the creditor with assistance on their preparation and use. **Notwithstanding section twelve hundred one of this act, the court shall issue such information subpoenas to be served outside the city of New York or in a county adjoining such city upon request.** The court shall

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

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have the same power as the supreme court to punish a contempt of court committed with respect to an information subpoena.

§ 3. Subdivision (d) of section 1812 of the uniform district court act, as amended by chapter 80 of the laws of 1992, is amended to read as follows:

(d) Where a judgment has been entered in a small claims court and remains unsatisfied, the small claims clerk shall, upon request, issue information subpoenas, at nominal cost, for the judgment creditor and provide the creditor with assistance on their preparation and use. **Notwithstanding section twelve hundred one of this act, the court shall issue such information subpoenas to be served outside the city of New York or in a county adjoining such city upon request.** The court shall have the same power as the supreme court to punish a contempt of court committed with respect to an information subpoena.

§ 4. Subdivision (d) of section 1812 of the uniform justice court act, as amended by chapter 650 of the laws of 1991, is amended to read as follows:

(d) Where a judgment has been entered in a small claims court and remains unsatisfied, the small claims clerk shall, upon request, issue information subpoenas, at nominal cost, for the judgment creditor and provide the creditor with assistance on their preparation and use. **Notwithstanding section twelve hundred one of this act, the court shall issue such information subpoenas to be served outside the city of New York or in a county adjoining such city upon request.** The court shall have the same power as the supreme court to punish a contempt of court committed with respect to an information subpoena.

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