STATE OF NEW YORK

9166--B

Cal. No. 322

IN ASSEMBLY

February 9, 2024

Introduced by M. of A. LAVINE -- read once and referred to the Committee on Judiciary -- advanced to a third reading, passed by Assembly and delivered to the Senate, recalled from the Senate, vote reconsidered, bill amended, ordered reprinted, retaining its place on the order of third reading -- passed by Assembly and delivered to the Senate, recalled from the Senate, vote reconsidered, bill amended, ordered reprinted, retaining its place on the order of third reading

AN ACT to amend chapter 455 of the laws of 1997, amending the New York city civil court act and the civil practice law and rules relating to authorizing New York city marshals to exercise the same functions, powers and duties as sheriffs with respect to the execution of money judgments of the supreme and family courts of the city of New York and defining the term "the sheriff" as used therein, in relation to the effectiveness thereof; and to amend the real property actions and proceedings law, in relation to notice of eviction by New York city marshals and electronic filing; and providing for the repeal of certain provisions upon expiration thereof

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

Section 1. Section 3 of chapter 455 of the laws of 1997, amending the New York city civil court act and the civil practice law and rules relating to authorizing New York city marshals to exercise the same functions, powers and duties as sheriffs with respect to the execution of money judgments of the supreme and family courts of the city of New York and defining the term "the sheriff" as used therein, as amended by chapter 151 of the laws of 2023, is amended to read as follows:

§ 3. This act shall take effect immediately and shall remain in full force and effect only until June 30, [~~2024~~] **2026** when upon such date this act shall be deemed repealed.

§ 2. The real property actions and proceedings law is amended by adding a new section 749-a to read as follows:

§ 749-a. New York city marshals. A marshal of the city of New York shall provide notice of execution of a warrant of eviction by physical posting of the notice and by an electronic filing. For purposes of this

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

LBD14499-04-4

section, "electronic filing" shall mean an electronic filing as described in section twenty-one hundred three-a of the New York city civil court act.

§ 3. This act shall take effect immediately; provided, however, that section two of this act shall expire and be deemed repealed June 30, 2026.