STATE OF NEW YORK

9478

IN ASSEMBLY

March 14, 2024

Introduced by M. of A. McMAHON, LAVINE -- read once and referred to the Committee on Judiciary

AN ACT to amend the civil practice law and rules, in relation to use of an affirmation of truth of statement in an administrative proceeding; and to repeal certain provisions of such law relating to making a technical correction thereto

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

Section 1. Rule 2106 of the civil practice law and rules, as amended by chapter 559 of the laws of 2023, is amended to read as follows:

Rule 2106. Affirmation of truth of statement. The statement of any person wherever made, subscribed and affirmed by that person to be true under the penalties of perjury, may be used in an action **or administrative proceeding** in New York in lieu of and with the same force and effect as an affidavit. Such affirmation shall be in substantially the following form:

I affirm this ___ day of _____, ____, under the penalties of perjury under the laws of New York, which may include a fine or imprisonment, that the foregoing is true, and I understand that this document may be filed in an action or proceeding in a court of law **or administrative hearing**.

(Signature)

§ 2. Rule 2106 of the civil practice law and rules, as amended by chapter 585 of the laws of 2023, is REPEALED.

§ 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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