

STATE OF NEW YORK

8635

2025-2026 Regular Sessions

IN ASSEMBLY

May 22, 2025

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

AN ACT to amend the court of claims act, in relation to exemptions of
notice provisions for claims brought against a party for certain sexual
offenses

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

1 Section 1. Section 11 of the court of claims act is amended by adding
2 three new subdivisions d, e and f to read as follows:

3 d. Subdivision b of this section shall not apply to a claim brought
4 against any party alleging intentional or negligent acts or omissions by
5 a person for physical, psychological, or other injury or condition
6 suffered as a result of conduct which would constitute a sexual offense
7 as defined in article one hundred thirty of the penal law committed
8 against a child, incest as defined in sections 255.27, 255.26, or 255.25
9 of the penal law committed against a child, or the use of a child in a
10 sexual performance as defined in section 263.05 of the penal law, or a
11 predecessor statute that prohibited such conduct at the time of the act,
12 which conduct was committed against a child.

13 e. Subdivision b of this section shall not apply to a claim brought
14 against any party alleging intentional or negligent acts or omissions by
15 a person for physical, psychological, or other injury or condition
16 suffered as a result of conduct which would constitute a sexual offense
17 as defined in article one hundred thirty of the penal law or incest as
18 defined in sections 255.27, 255.26, or 255.25 of the penal law committed
19 against any person who was eighteen years of age or older.

20 f. The provisions of subdivisions d and e of this section shall apply
21 to: (i) any claim commenced on or after the effective date of subdivi-
22 sions d and e of this section; (ii) any claim pending on or after the
23 effective date of subdivisions d and e of this section; and (iii) any
24 claim which was dismissed for failure to state the time when or place

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

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1 where such claim arose, the nature of same, or the items of damage or
2 injuries claimed to have been sustained, provided that such dismissal is
3 being appealed or can be appealed as of the effective date of subdivi-
4 sions d and e of this section.

5 § 2. This act shall take effect immediately.