

STATE OF NEW YORK

6060

2025-2026 Regular Sessions

IN SENATE

March 5, 2025

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

AN ACT to amend the civil practice law and rules, in relation to the timing of proceedings against a body or an officer

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

1 Section 1. Subdivision 1 of section 217 of the civil practice law and
2 rules, as amended by chapter 467 of the laws of 1990, is amended to read
3 as follows:

4 1. Unless a shorter time is provided in the law authorizing the
5 proceeding, a proceeding against a body or officer must be commenced
6 within four months after the determination to be reviewed becomes final
7 and binding upon the petitioner or the person whom [~~he~~] such petitioner
8 represents in law or in fact, which determination shall be served upon
9 the petitioner or the person whom such petitioner represents in law or
10 in fact, in person or by first class mail, or after the respondent's
11 actual or constructive refusal, upon the demand of the petitioner or the
12 person whom [~~he~~] such petitioner represents, to perform its duty; or
13 with leave of the court where the petitioner or the person whom [~~he~~]
14 such petitioner represents, at the time such determination became final
15 and binding upon [~~him~~] such petitioner or at the time of such refusal,
16 was under a disability specified in section 208, within two years after
17 such time. If the determination is mailed by first class mail to the
18 petitioner or the person whom such petitioner represents in law or in
19 fact, the statute of limitations commences five days after the determi-
20 nation was placed in the mail.

21 § 2. This act shall take effect on the sixtieth day after it shall
22 have become a law.

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

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