

STATE OF NEW YORK

7491

2025-2026 Regular Sessions

IN SENATE

April 17, 2025

Introduced by Sen. BRISPORT -- 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 statute of limitations for civil actions related to certain deed theft actions, reviving such actions otherwise barred by the existing statute of limitations and granting trial preference to such actions; and to amend the judiciary law, in relation to directing the chief administrator of the courts to promulgate rules for the timely adjudication of certain revived actions

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

1 Section 1. The civil practice law and rules is amended by adding a new
2 section 214-k to read as follows:

3 § 214-k. Certain deed theft actions. Notwithstanding any provision of
4 law which imposes a period of limitation to the contrary and the
5 provisions of any other law pertaining to the filing of a notice of
6 claim or a notice of intention to file a claim as a condition precedent
7 to commencement of an action or special proceeding, every civil claim or
8 cause of action brought against any party alleging the theft, fraud, or
9 deceit in obtaining the title to a residential dwelling, which is barred
10 as of the effective date of this section because the applicable period
11 of limitation has expired, and/or the plaintiff previously failed to
12 file a notice of claim or a notice of intention to file a claim, is
13 hereby revived, and action thereon may be commenced not earlier than six
14 months after, and not later than one year and six months after the
15 effective date of this section. In any such claim or action, dismissal
16 of a previous action, ordered before the effective date of this section,
17 on grounds that such previous action was time barred, and/or for failure
18 of a party to file a notice of claim or a notice of intention to file a
19 claim, shall not be grounds for dismissal of a revival action pursuant
20 to this section.

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

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1 § 2. Paragraph 7 of subdivision (a) of rule 3403 of the civil practice
2 law and rules, as amended by chapter 203 of the laws of 2022, is amended
3 to read as follows:

4 7. any action which has been revived pursuant to section two hundred
5 fourteen-g [~~or~~], two hundred fourteen-j, or two hundred fourteen-k of
6 this chapter.

7 § 3. The judiciary law is amended by adding a new section 219-f to
8 read as follows:

9 § 219-f. Rules reviving certain actions; deed theft. The chief admin-
10 istrator of the courts shall promulgate rules for the timely adjudi-
11 cation of revived actions brought pursuant to section two hundred four-
12 teen-k of the civil practice law and rules.

13 § 4. The provisions of this act shall be severable, and if any clause,
14 sentence, paragraph, subdivision or part of this act shall be adjudged
15 by any court of competent jurisdiction to be invalid, such judgment
16 shall not affect, impair, or invalidate the remainder thereof, but shall
17 be confined in its operation to the clause, sentence, paragraph, subdivi-
18 sion or part thereof directly involved in the controversy in which
19 such judgment shall have been rendered.

20 § 5. This act shall take effect immediately; provided, however, that
21 section three of this act shall take effect three months after this act
22 shall have become a law.