STATE OF NEW YORK

8302

2025-2026 Regular Sessions

IN ASSEMBLY

May 12, 2025

Introduced by M. of A. O'PHARROW -- (at request of the Unified Court System) -- read once and referred to the Committee on Judiciary

AN ACT to amend the civil practice law and rules, in relation to an affirmation by any person, wherever made, in a civil action

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. **(a)** The statement of any person wherever made, subscribed and affirmed by that person to be true under the penalties of perjury, **other than in a deposition, or an oath of office, or an oath required to be taken before a specified person other than a notary,** may be used in an action in New York in lieu of and with the same force and effect as an affidavit**, a certificate, a response to a notice to admit, an answer to interrogatories, a verification of a pleading, a bill of particulars and any other sworn statement**. 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, **except as to matters alleged on information and belief and as to those matters I believe it to be true,** and I understand that this document may be filed in an action or proceeding in a court of law.

(Signature)

(b) Nothing in this rule shall be construed to eliminate any requirement under the domestic relations law that matrimonial agreements must be acknowledged in the form of deed.

§ 2. This act shall take effect immediately.

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

LBD07919-02-5