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:

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

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

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

f. The provisions of subdivisions d and e of this section shall apply to: (i) any claim commenced on or after the effective date of subdivisions d and e of this section; (ii) any claim pending on or after the effective date of subdivisions d and e of this section; and (iii) any 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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where such claim arose, the nature of same, or the items of damage or injuries claimed to have been sustained, provided that such dismissal is being appealed or can be appealed as of the effective date of subdivisions d and e of this section.

§ 2. This act shall take effect immediately.